

## The Gazette



## of India

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N. 3] NEW DELHI, SATURDAY, JANUARY 15, 1955

## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 8th January 1955 :—

Issue No.	No. and date	Issued by	Subject
1	S. R. O. 50, dated the 1st January 1955.	Ministry of External Affairs.	French Establishments (Change of Name) Order, 1954.
2	S. R. O. 51, dated the 1st January 1955.	Ministry of Finance (Revenue Division).	Amendment made in the notification No. 45 (Customs), dated the 23rd October, 1948.
3	S. R. O. 52, dated the 3rd January 1955.	Ditto	Prohibition of import of certain goods from the French Establishment of Pondicherry and Karikal.
4	S. R. O. 53, dated the 4th January 1955.	Ministry of Law	Appointing 15th January 1955 as the date on which the Wakf Act, 1954 shall come into force in certain States.
	S. R. O. 54, dated the 4th January 1955.	Ministry of Food and Agriculture.	Cancellation of Order No. S.R.O. 1905-B, dated the 10th October 1953.
5	S. R. O. 55, dated the 5th January 1955.	Ministry of Home Affairs.	Chief Commissioners of Ajmer and Coorg to exercise powers and discharge functions under the Muslim Wakfs Act, 1954.
6	S. R. O. 56, dated the 6th January 1955.	Election Commission, India.	Notifying a vacancy to be filled before the 10th March 1955 in the Srivilliputhur Constituency for the House of the People.
	S. R. O. 57, dated the 6th January 1955.	Ditto	Announcing certain dates for the bye-election in the Srivilliputhur Constituency in the State of Madras.

Issue No.	No. and date	Issued by	Subject
7	S. R. O. 109, dated the 6th January 1955.	Ministry of Information and Broadcasting.	Corrigendum to S.R.O. No. 3650, dated the 25th December 1954.
	S. R. O. 110, dated the 6th January 1955.	Ditto	The Central Government certifies certain films to be of the description specified therein.
8	S. R. O. 111, dated the 7th January 1955.	Ministry of Law	Fixing date and certain hours for election in the Srivilliputhur Constituency.
	S. R. O. 112, dated the 8th January 1955.	Ministry of Commerce and Industry.	Amendment made in the Second Schedule to the Indian Tariff Act, 1934.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

### PART II—Section 3

**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).**

#### MINISTRY OF HOME AFFAIRS

*New Delhi, the 6th January 1955*

**S.R.O. 126.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with articles 313 and 372 thereof and para. 19 of the Adaptation of Laws Order, 1950, the President hereby directs that the following further amendments shall be made in the Rules published with the notification of the Government of India in the late Home Department No. F.9-19/30-Ests., dated the 27th February, 1932, namely:—

In the Schedule to the said Rules at the end of category '(B) Posts', under the Heading "Department of Communications" and sub-heading "Indian Posts and Telegraphs Department" the following entries shall be added, namely:—

Assistant Complaints Officers in the Posts & Telegraphs Directorate,	Director of Staff	Director of Staff	All	Deputy Director General (Staff & Establishment)
Assistant Circle Complaints Officers,	Director of Postal Services or Deputy Director of Posts & Telegraphs or Deputy Director of Postal Services.	Assistant Post Master General or Assistant Director of Postal Services.	(i) to (v).	Director of Postal Services of Deputy Director of Posts & Telegraphs or Deputy Director of Postal Service.
		Director of Postal Services or Deputy Director of Posts & Telegraphs or Deputy Director of Postal Services.	All	Head of Circle.

[No. 7/2/54-Ests.(A).]

**S.R.O. 127.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with articles 313 and 372 thereof and paragraph 19 of the Adaptation of Laws Order, 1950, the President hereby directs that the following further amendment shall be made in the notification of the Government of India in the late Home Department No. F.9/2/33-Ests., dated the 9th January, 1934, namely:—

In the Schedule to the said notification, after the entries relating to 'Indian Tariff Board' the following heading and entries thereunder shall be inserted, namely:—

*Office of the Forward Markets Commission*

Superintendent.	}	Chairman.	Chairman	All
Reporter		Forward	Forward	
Senior Research Assistant		Markets	Markets	
Deputy Superintendent.		Commission	Commission	

[No. 7/22/54-Ests.(A)-1.]

**S.R.O. 128.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with articles 313 and 372 thereof and paragraph 19 of the Adaptation of Laws Order, 1950, the President hereby directs that the following further amendment shall be made in the rules published with the notification of the Government of India in the late Home Department No. F.9-19/30-Ests., dated the 27th February, 1932, namely:—

In the Schedule to the said rules, under the heading "Commerce Department", the following sub-heading and entries thereunder shall be inserted, namely:—

*Office of the Forward Markets Commission*

*Class III posts*

Junior Research Assistant	}	Chairman.	Chairman.	All	Secretary.
Upper Division Clerk		Forward	Forward		Ministry of
Cashier		Markets	Markets		Commerce
P.A. to Chairman		Commission	Commission		and Industry.
P.A. to Member					
Stenographer					
Lower Division Clerk					
Computer					
Comptist.					

*Class IV posts*

Gestetner Operator	}	Secretary.	Secretary.	All	Chairman.
Jamadar		Forward	Forward		Forward
Daftary		Markets	Markets		Markets
Peons		Commission	Commission		Commission.
Chowkidar					
Hamal					
Sweeper					

[No. 7/22/54-Ests.(A)-11.]

S. P. MAHNA, Under Secy.

*New Delhi, the 8th January 1955*

**S.R.O. 129.**—In exercise of the powers conferred by sections 4, 10, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby directs that the following further amendments shall be made in the Indian Arms Rules, 1951, namely:—

In the Table in Schedule III to the said Rules—

(a) After column 1 the following column shall be added namely:—

"Provisos and restrictions"

(b) The existing column 2 shall be re-numbered as "3".

(c) After item (2) the following item shall be added, namely:—

1	2	3
“(3). Arms and ammunition specified in clause (a) (i)—(iii) of rule 7 imported by diplomatic personnel and home based personnel of Foreign and Commonwealth Diplomatic Mission in India.	Such arms and ammunition shall not be transferred to any one in India for consideration or otherwise.	do.”

[No. 9/63/54-Police(I).]

N. SAHGAL, Dy. Secy.

### MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 4th January 1955

**S.R.O. 130.**—In pursuance of clause (d) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (II of 1934), and in supersession of the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, No. F.3(26)-F.I./54, dated the 18th August 1954, the Central Government hereby nominates Shri H. M. Patel, I.C.S., to be a director of the Central Board of the Reserve Bank of India, *vice* Shri S. G. Barve, I.C.S.

[No. F.3(26)-F.I./54.]

New Delhi, the 8th January 1955

**S.R.O. 131.**—In exercise of the powers conferred by clause (c) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (II of 1934), the Central Government hereby nominates with effect from the 15th January 1955, Prof. Gorakhnath Sinha, B.A. (Cantab), Chairman, Rural Farm Enquiry Commission, Bihar, and Shri D. N. Mitra, 2-Hungerford Street, Calcutta, as Directors of the Central Board of the Reserve Bank of India, *vice* Shri Dharendra Nath Sen and Sahu Jagdish Prasad.

[No. F.3(65)-F.I./54.]

N. C. SEN GUPTA, Dy. Secy.

(Department of Economic Affairs)

CHARTERED ACCOUNTANTS

New Delhi, the 5th January 1955

**S.R.O. 132.**—In exercise of the powers conferred by sub-section (2A) of section 144 of the Indian Companies Act, 1913 (VII of 1913), the Central Government hereby directs that the following amendment shall be made in the Restricted Auditors' Certificates (Part B States) Rules, 1951, namely:—

In the said Rules—

After rule 12 the following rule shall be added, namely:—

“13. The procedure prescribed by rule 12 shall, so far as may be, apply to any information received regarding any act of negligence, misconduct or dishonesty or any breach of professional propriety referred to in clause (e) of sub-rule (1) of Rule 10 of these Rules.”

[No. 61(11)-ICA/54.]

P. D. KASBEKAR, Dy. Secy.

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**MINISTRY OF FINANCE (REVENUE DIVISION)****CUSTOMS***New Delhi, the 6th January 1955*

**S.R.O. 133.**—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby prohibits the bringing of rock salt from Nepal into India.

[No. 5.]

W. SALDANHA, Dy. Secy.

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**CUSTOMS***New Delhi, the 8th January 1955*

**S.R.O. 134.**—In exercise of the powers conferred by section 49 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 24-Customs, dated the 29th March, 1949.

[No. 7.]

E. S. KRISHNAMOORTHY, Joint Secy.

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**CENTRAL BOARD OF REVENUE****CUSTOMS***New Delhi, the 8th January 1955*

**S.R.O. 135.**—In pursuance of section 83 of the Sea Customs Act, 1878 (VIII of 1878), as applied to the French Establishments in India, the Central Board of Revenue hereby appoints in respect of the ports in the said Establishments, the number of days hereinafter specified as the number of working days after the entry of a vessel importing any goods within which at the said ports and in the cases so specified, the owner of any goods imported by such vessel (not being goods shown in the import-manifest as not to be landed or goods for the landing of which a period is specified in the bill of lading thereof) shall land the same, namely:—

- (i) In the case of a sailing ship—Three days.
- (ii) In the case of a steamer—Two days.

[No. 8.]

W. SALDANHA, Secy.

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**INCOME-TAX***New Delhi, the 10th January 1955*

**S.R.O. 136.**—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in the Schedule appended to its notification No. 32-Income-tax, dated the 9th November 1946, namely:—

In the said Schedule under the sub-head "VII-Delhi, Ajmer, Rajasthan and Madhya Bharat" against C-Range, Delhi—

- (i) for "(8) Bharatpur" substitute "(8) All Wards at Bharatpur"; and
- (ii) for "(10) Bikaner" substitute "(10) All Wards at Bikaner."

[No. 2 (50/23/54-IT-1).]

**S.R.O. 137.**—In pursuance of sub-section (6) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that

the following further amendments shall be made in the Schedule appended to its notification S.R.O. 1214 (No. 44-Income-tax), dated the 1st July 1954, namely:—

In the said schedule after Serial No. 43, the following items shall be inserted, namely:

1	2	3	4	5	6
43-A	Employees of Messrs. New Egerton Mills Branch at Dhariwal stationed anywhere in the taxable territories,	Income-tax Officer, Dist. III (v), Kanpur.	Inspecting Assistant Commissioner, Kanpur.	Appellate Assistant Commissioner, Range 1, Kanpur.	Commissioner of Income-tax, Uttar Pradesh and Vindhya Pradesh, Lucknow.
43-B	Employees of Messrs. Begg Sutherland & Co. Ltd., Kanpur, stationed anywhere in the taxable territories.	do.	do.	do.	do.

[No. 1.(55/62/53-I.T.-1).]

*New Delhi, the 11th January 1955*

**S.R.O. 138.**—In pursuance of sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that the following amendment shall be made in the Schedule to its notification S.R.O. 17 (No. 75-Income-tax, dated the 21st December 1954), namely:—

In the said schedule after entry 15, the following entry shall be added, namely:—

“16. Order No. 27—No. 55(53)I.T./54, dated the 17th September, 1954.”

[No. 3.(55/101/54-I.T.-2).]

### CORRIGENDUM

#### INCOME-TAX

*New Delhi, the 11th January 1955*

**S.R.O. 139.**—In the Schedule to the notification of the Central Board of Revenue S.R.O. 17 (No. 75-Income-tax, dated the 21st December 1954) published in Part II, Section 3 of the *Gazette of India*, dated the 1st January 1955 against item 10—

for “55(20)-I.T./54” read “55(16)-I.T./54”.

[No. 15(55/101/54-I.T.-1).]

K. B. DEB, Under Secy.

### MINISTRY OF EXTERNAL AFFAIRS

*New Delhi, the 10th January 1955*

**S.R.O. 140.**—In exercise of the powers conferred by sub-section (I) of Section 3 of the Indian Emigration Act (No. VII of 1922) the President was pleased to appoint Shri Tarlok Singh, Personal Assistant in the office of the Protector of Emigrants, Bombay, to officiate as Protector of Emigrants, Bombay, with effect from the forenoon of the 1st November, 1954, *vice* Shri R. B. Ghatge granted leave.

Shri Tarlok Singh reverted to the post of Personal Assistant with effect from the forenoon of the 1st December, 1954.

[No. F.1-5/54-Emi.]

S. D. PATHAK,

for Controller General of Emigration.

**MINISTRY OF INFORMATION AND BROADCASTING***New Delhi, the 4th January 1955*

**S.R.O. 141.**—In exercise of the powers conferred by sub-rule (2) of rule 3 of the Cinematograph (Censorship) Rules 1951 read with section 3 of the Cinematograph Act, 1952 (XXXVII of 1952) the Central Government hereby re-appoints Professor R. D. Sinha Dinkar and Sri V. Shantaram, as members of the Central Board of Film Censors with effect from 15th January 1955.

[No. 11/6/54-FC.]

D. KRISHNA AYYAR, Under Secy.

**MINISTRY OF TRANSPORT****(Transport Wing)****LIGHT HOUSES***New Delhi, the 6th January 1955*

**S.R.O. 142.**—In pursuance of clause (c) of section 2 of the Indian Lighthouse Act, 1927 (XVII of 1927), the Central Government hereby declares the lighthouse at Tolleshwar to be a general lighthouse for the purposes of the said Act.

[No. 10-MT(5)/53.]

**(Transport Wing)****MERCHANT SHIPPING***New Delhi, the 11th January 1955*

**S.R.O. 143.**—With reference to sections 214, 215 and 216 of the Indian Merchant Shipping Act, 1923 (XXI of 1923) and to the provisions of the Merchant Shipping Acts 1894 to 1938 which operate as part of the law of India, the Collision Regulations (Ships and Seaplanes on the Water) and Signals of Distress (Ships) Order, 1953, being an Order made by Her Britannic Majesty in Council, is hereby published for general information.

1953 No. 1557

**MERCHANT SHIPPING—CIVIL AVIATION—SAFETY**

*The Collision Regulations (Ships and Seaplanes on the Water) and Signals of Distress (Ships) Order, 1953*

Made—28th October, 1953.

Laid before Parliament.—29th October, 1953.

Coming into Operation.—1st January, 1954.

At the Court at Buckingham Palace, the 28th day of October, 1953.

**PRESENT**

The Queen's Most Excellent Majesty in Council

Whereas the International Conference on Safety of Life at Sea, held in London from 23rd April, 1948 to 10th June, 1948 approved the International Regulations for Preventing Collisions at Sea, 1948, set forth in the First Schedule to this Order, and invited the Government of the United Kingdom, when substantial unanimity had been reached as to the acceptance of the said Regulations to fix the date on and after which the said Regulations should be applied by the Governments which had agreed to accept them and to give not less than one year's notice of that date to the Governments of all States:

And Whereas substantial unanimity has been reached as aforesaid and the Governments of the countries specified in the Second Schedule to this Order have agreed to accept the said Regulations:

And Whereas the Government of the United Kingdom have fixed the 1st January, 1954, as the date on and after which the said Regulations shall be applied by the Governments which have agreed to accept them and have given due notice thereof to the Governments of all States:

And Whereas by Section 418 of the Merchant Shipping Act, 1894(a), (in this Order referred to as "the principal Act") Her Majesty is empowered on the joint recommendation of the Admiralty and the Minister of Transport and Civil Aviation (in this Order referred to as "the Minister") by Order in Council to make regulations for preventing collisions at sea, in the principal Act referred to as Collision Regulations:

And Whereas by Section 424 of the principal Act it is provided that whenever it is made to appear to Her Majesty in Council that the Government of any foreign country is willing that the Collision Regulations should apply to the ships of that country when beyond the limits of British jurisdiction, Her Majesty may by Order in Council direct that those Regulations shall, subject to any limitation of time, conditions and qualifications contained in the Order, apply to the ships of such foreign country, whether within British jurisdiction or not, and that such ships shall for the purposes of such Regulations be treated as if they were British ships:

And Whereas it is provided by sub-section (1) of Section 52 of the Civil Aviation Act, 1949(b), that the said power of Her Majesty to make regulations for the prevention of collisions at sea shall include power to make regulations on the joint recommendation of the Admiralty, the Secretary of State and the Minister for the prevention of collisions at sea between seaplanes on the surface of the water and between vessels and seaplanes on the surface of the water, and that accordingly Section 424 (among other provisions) of the principal Act shall, subject to the exceptions specified in the said Section 52, apply in relation to seaplanes on the surface of the water as it applies in relation to ships or vessels:

And Whereas the joint recommendations aforesaid have been respectively made to Her Majesty:

And Whereas sub-section (2) of Section 59 of the Civil Aviation Act, 1949, makes provision for the extension by Order in Council of the extra-territorial operation of the collision regulations made by virtue of the said Section 52 to British aircraft registered in any country or territory mentioned in sub-section (1) of Section 66 of the said Act or registered in the Isle of Man or the Channel Islands:

And Whereas by the Civil Aviation Act (Isle of Man) Order, 1952(c), made under sub-section (1) of Section 67 of the Civil Aviation Act, 1949, the provisions of sub-section (1) of Section 52 and of sub-section (2) of Section 59 of the said Act were extended to the Isle of Man, and by the Civil Aviation Act (Channel Islands) Order, 1953(d), so made the said provisions were extended to the Channel Islands:

And Whereas certain Orders in Council made under the Air Navigation Act, 1947(e), and the Civil Aviation Act, 1949, contain provisions for the prevention of collisions involving aircraft on the water, which said provisions are respectively specified in Part II of the Third Schedule to this Order:

And Whereas by sub-section (1) of Section 21 of the Merchant Shipping (Safety Convention) Act, 1949(f), Her Majesty in Council is empowered to prescribe what signals shall be used by ships as signals of distress:

And Whereas by Section 734 of the principal Act it is provided that where it has been made to appear to Her Majesty that the Government of any foreign country is desirous that any of the provisions of that Act which do not apply to the ships of that country, should so apply, and there are no special provisions in the Act for that application, Her Majesty in Council may order that such of those provisions as are in the Order specified shall (subject to the limitations, if any, contained therein) apply to the ships of that country, and to the owners, masters, seamen, and apprentices of those ships, when not locally within the

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(a) 57 and 58 Vict. C. 60.

(b) 12, 13 and 14 Geo. 6.c. 67.

(c) S. I. 1952/1032; 1952 I, p. 561.

(d) S. I. 1953/393.

(e) 10 and 11 Geo. 6.c. 18.

(f) 12, 13 and 14 Geo. 6.c. 43.



jurisdiction of the government of that country, in the same manner in all respects as if those ships were British ships:

And Whereas Section 21 of the Merchant Shipping (Safety Convention) Act, 1949, relating to signals of distress is such a provision:

And Whereas by Section 738 of the principal Act it is provided that, where Her Majesty has power under that Act, or any Act amending the same, to make an Order in Council, Her Majesty may from time to time make that Order in Council, and by Order in Council revoke, alter or add to any Order so made:

And Whereas it has been made to appear to Her Majesty that the Governments of the several foreign countries which are included in the countries specified in the Second Schedule to this Order are willing that the Regulations set forth in the First Schedule hereto shall apply to the ships of the said foreign countries when beyond the limits of British jurisdiction:

Now, therefore, Her Majesty, in pursuance of the aforesaid powers and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order and direct, and it is hereby ordered and directed, as follows:—

- 1.—(1) This Order may be cited as the Collision Regulations (Ships and Seaplanes on the Water) and Signals of Distress (Ships) Order, 1953.
- (2) The Interpretation Act, 1889(g), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
- (3) The Orders in Council specified in the Third Schedule to this Order are hereby revoked to the extent specified in that Schedule.
- (4) The Order shall come into operation on the first day of January, 1954.
2. The International Regulations for Preventing Collisions at Sea set forth in the First Schedule to this Order shall, with the exception of Rule 31 thereof, constitute the Collision Regulations referred to in the principal Act and in that Act as applied by the Civil Aviation Act, 1949, and by the said Act of 1949 as extended as aforesaid to the Isle of Man and the Channel Islands, and are hereinafter referred to as the Collision Regulations.
3. The Collision Regulations shall apply to British seaplanes on the surface of the water which are registered in any country or territory mentioned in subsection (1) of Section 66 of the Civil Aviation Act, 1949, or in the Isle of Man or the Channel Islands, wherever such seaplanes may be.
4. The Collision Regulations shall apply to all ships and to all seaplanes on the surface of the water which are ships or seaplanes of the foreign countries included in the countries specified in the Second Schedule to this Order, whether such ships and seaplanes are within British jurisdiction or not, and such ships and seaplanes shall, for the purposes of the Collision Regulations, be treated as if they were British ships and British seaplanes respectively.
5. The signals specified in Rule 31 of the aforesaid International Regulations for Preventing Collisions at Sea and in the Note appended to that Rule shall be the signals referred to in Section 21 of the Merchant Shipping (Safety Convention) Act, 1949, which are to be used by ships as signals of distress and the provisions of the said Section 21 shall apply to ships of the foreign countries included in the countries specified in the Second Schedule to this Order, whether such ships are within British jurisdiction or not.
6. Nothing in the foregoing provisions of this Order shall be taken to authorise the prosecution of the master or owner of a foreign ship or the pilot or owner of a foreign seaplane for any offence consisting only of an act or omission outside British jurisdiction.

W. G. AGNEW.

## FIRST SCHEDULE

*International Regulations for Preventing Collisions at Sea, 1948*

## PART A.—PRELIMINARY AND DEFINITIONS

## Rule 1

(a) These Rules shall be followed by all vessels and seaplanes upon the high seas and in all waters connected therewith navigable by seagoing vessels, except as provided in Rule 30. Where, as a result of their special construction, it is not possible for seaplanes to comply fully with the provisions of Rules specifying the carrying of lights and shapes, these provisions shall be followed as closely as circumstances permit.

(b) The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights or impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

(c) In the following Rules, except where the context otherwise requires:—

- (i) the word "vessel" includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;
- (ii) the word "seaplane" includes a flying boat and any other aircraft designed to manoeuvre on the water;
- (iii) the term "power-driven vessel" means any vessel propelled by machinery;
- (iv) every power-driven vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel;
- (v) a vessel or seaplane on the water is "under way" when she is not at anchor, or made fast to the shore, or aground;
- (vi) the term "height above the hull" means height above the uppermost continuous deck;
- (vii) the length and breadth of a vessel shall be deemed to be the length and breadth appearing in her certificate of registry;
- (viii) the length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate;
- (ix) the word "visible," when applied to lights, means visible on a dark night with a clear atmosphere;
- (x) the term "short blast" means a blast of about one second's duration;
- (xi) the term "prolonged blast" means a blast of from four to six seconds' duration;
- (xii) the word "whistle" means whistle or siren;
- (xiii) the word "tons" means gross tons.

## PART B.—LIGHTS AND SHAPES

## Rule 2

(a) A power-driven vessel when under way shall carry:—

- (i) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a bright white light so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass (225 degrees), so fixed as to show the light 10 points (112½ degrees) on each side of the vessel, that is, from right ahead to 2 points (22½ degrees) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.
- (ii) Either forward of or abaft the white light mentioned in sub-section (i) a second white light similar in construction and character to that light. Vessels of less than 150 feet in length, and vessels engaged in towing, shall not be required to carry this second white light but may do so.
- (iii) These two white lights shall be so placed in a line with and over the keel that one shall be at least 15 feet higher than the other and in

such a position that the lower light shall be forward of the upper one. The horizontal distance between the two white lights shall be at least three times the vertical distance. The lower of these two white lights or, if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 40 feet. In all circumstances the light or lights, as the case may be, shall be so placed as to be clear of and above all other lights and obstructing superstructures.

- (iv) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass ( $112\frac{1}{2}$  degrees), so fixed as to show the light from right ahead to 2 points ( $22\frac{1}{2}$  degrees) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.
- (v) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass ( $112\frac{1}{2}$  degrees), so fixed as to show the light from right ahead to 2 points ( $22\frac{1}{2}$  degrees) abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.
- (vi) The said green and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.

(b) A seaplane under way on the water shall carry:—

- (i) In the forepart amidships where it can best be seen a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 220 degrees of the compass, so fixed as to show the light 110 degrees on each side of the seaplane, namely, from right ahead to 20 degrees abaft the beam on either side, and of such a character as to be visible at a distance of at least 3 miles.
- (ii) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.
- (iii) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

### Rule 3

(a) A power-driven vessel when towing or pushing another vessel or seaplane shall, in addition to her sidelights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel or seaplane towed, exceeds 600 feet. Each of these lights shall be of the same construction and character and one of them shall be carried in the same position as the white light mentioned in Rule 2(a) (i), except the additional light, which shall be carried at a height of not less than 14 feet above the hull. In a vessel with a single mast, such lights may be carried on the mast.

(b) The towing vessel shall also show either the stern light specified in Rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam. The carriage of the white light specified in Rule 2(a) (ii) is optional.

(c) A seaplane on the water, when towing one or more seaplanes or vessels, shall carry the lights prescribed in Rule 2(b)(i), (ii) and (iii); and, in addition, she shall carry a second white light of the same construction and character as the white light mentioned in Rule 2(b)(i), and in a vertical line at least 6 feet above or below such light.

### Rule 4

(a) A vessel which is not under command shall carry, where they can best be seen, and, if a power-driven vessel, in lieu of the lights required by Rule

2(a)(i) and (ii), two red lights in a vertical line one over the other not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

(b) A seaplane on the water which is not under command may carry, where they can best be seen, two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two black balls or shapes, each not less than 2 feet in diameter.

(c) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations when from the nature of her work she is unable to get out of the way of approaching vessels, shall carry, in lieu of the lights specified in Rule 2(a)(i) and (ii), three lights in a vertical line one over the other not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, three shapes each not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(d) The vessels and seaplanes referred to in this Rule, when not making way through the water, shall not carry the coloured sidelights, but when making way they shall carry them.

(e) The lights and shapes required to be shown by this Rule are to be taken by other vessels and seaplanes as signals that the vessel or seaplane showing them is not under command and cannot therefore get out of the way.

(f) These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Rule 31.

#### Rule 5

(a) A sailing vessel under way and any vessel or seaplane being towed shall carry the same lights as are prescribed by Rule 2 for a power-driven vessel or a seaplane under way, respectively, with the exception of the white lights specified therein, which they shall never carry. They shall also carry stern lights as specified in Rule 10, provided that vessels towed, except the last vessel of a tow, may carry, in lieu of such stern light, a small white light as specified in Rule 3(b).

(b) A vessel being pushed ahead shall carry, at the forward end, on the starboard side a green light and on the port side a red light, which shall have the same characteristics as the lights described in Rule 2(a)(iv) and (v) and shall be screened as provided in Rule 2(a)(vi), provided that any number of vessels pushed ahead in a group shall be lighted as one vessel.

#### Rule 6

(a) In small vessels, when it is not possible on account of bad weather or other sufficient cause to fix the green and red sidelights, these lights shall be kept at hand lighted and ready for immediate use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable, more than 2 points (22½ degrees) abaft the beam on their respective sides.

(b) To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the lights they respectively contain, and shall be provided with proper screens.

#### Rule 7

Power-driven vessels of less than 40 tons, vessels under oars or sails of less than 20 tons, and rowing boats, when under way shall not be required to carry

the lights mentioned in Rule 2, but if they do not carry them they shall be provided with the following lights:—

(a) Power-driven vessels of less than 40 tons, except as provided in section (b), shall carry:—

(i) In the forepart of the vessel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Rule 2(a)(i) and of such a character as to be visible at a distance of at least 3 miles.

(ii) Green and red sidelights constructed and fixed as prescribed in Rule 2(a)(iv) and (v), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points (22½ degrees) abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

(b) Small power-driven boats, such as are carried by seagoing vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the sidelights or the combined lantern mentioned in subsection (a) (ii).

(c) Vessels of less than 20 tons, under oars or sails, except as provided in section (d), shall, if they do not carry the sidelights, carry where it can best be seen a lantern showing a green light on one side and a red light on the other, of such a character as to be visible at a distance of at least 1 mile, and so fixed that the green light shall not be seen on the port side, nor the red light on the starboard side. Where it is not possible to fix this light, it shall be kept ready for immediate use and shall be exhibited in sufficient time to prevent collision and so that the green light shall not be seen on the port side nor the red light on the starboard side.

(d) Small rowing boats, whether under oars or sails, shall only be required to have ready at hand an electric torch or a lighted lantern showing a white light, which shall be exhibited in sufficient time to prevent collision.

(e) The vessels and boats referred to in this Rule shall not be required to carry the lights or shapes prescribed in Rules 4(a) and 11(e).

#### Rule 8

(a) (i) Sailing pilot-vessels, when engaged on their station on pilotage duty and not at anchor, shall not show the lights prescribed for other vessels, but shall carry a white light at the masthead visible all round the horizon at a distance of at least 3 miles, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 10 minutes.

(ii) On the near approach of or to other vessels they shall have their sidelights lighted ready for use and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

(iii) A sailing pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead and may, instead of the sidelights abovementioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other to be used as prescribed above.

(b) A power-driven pilot-vessel when engaged on her station on pilotage duty and not at anchor shall, in addition to the lights and flares required for sailing pilot-vessels, carry at a distance of 8 feet below her white masthead light a red light visible all round the horizon at a distance of at least 3 miles, and also the sidelights required to be carried by vessels when under way. A bright intermittent all round white light may be used in place of a flare.

(c) All pilot-vessels, when engaged on their stations on pilotage duty and at anchor, shall carry the lights and show the flares prescribed in sections (a) and (b), except that the sidelights shall not be shown. They shall also carry the anchor light or lights prescribed in Rule 11.

(d) All pilot-vessels, whether at anchor or not at anchor, shall, when not engaged on their stations on pilotage duty, carry the same lights as other vessels of their class and tonnage.

## Rule 9

(a) Fishing vessels when not fishing shall show the lights or shapes prescribed for similar vessels of their tonnage. When fishing they shall show only the lights or shapes prescribed by this Rule, which lights or shapes, except as otherwise provided, shall be visible at a distance of at least 2 miles.

(b) Vessels fishing with trolling (towing) lines, shall show only the lights prescribed for a power-driven or sailing vessel under way as may be appropriate.

(c) Vessels fishing with nets or lines, except trolling (towing) lines, extending from the vessel not more than 500 feet horizontally into the seaway shall show, where it can best be seen, one all round white light and in addition, on approaching or being approached by another vessel, shall show a second white light at least 6 feet below the first light and at a horizontal distance of at least 10 feet away from it (6 feet in small open boats) in the direction in which the outlying gear is attached. By day such vessels shall indicate their occupation by displaying a basket where it can best be seen; and if they have their gear out while at anchor, they shall, on the approach of other vessels, show the same signal in the direction from the anchor ball towards the net or gear.

(d) Vessels fishing with nets or lines, except trolling (towing) lines, extending from the vessel more than 500 feet horizontally into the seaway shall show, where they can best be seen, three white lights at least 3 feet apart in a vertical triangle visible all round the horizon. When making way through the water, such vessels shall show the proper coloured sidelights, but when not making way they shall not show them. By day they shall show a basket in the forepart of the vessel as near the stern as possible not less than 10 feet above the rail; and, in addition, where it can best be seen, one black conical shape, apex upwards. If they have their gear out while at anchor they shall, on the approach of other vessels, show the basket in the direction from the anchor ball towards the net or gear.

(e) Vessels when engaged in trawling, by which is meant the dragging of a dredge net or other apparatus along or near the bottom of the sea, and not at anchor:—

(i) If power-driven vessels, shall carry in the same position as the white light mentioned in Rule 2 (a) (i) a tri-coloured lantern, so constructed and fixed as to show a white light from right ahead to 2 points  $22\frac{1}{2}$  degrees) on each bow, and a green light and a red light over an arc of the horizon from 2 points  $(22\frac{1}{2}$  degrees) on each bow to 2 points  $(22\frac{1}{2}$  degrees) abaft the beam on the starboard and port sides, respectively; and not less than 6 nor more than 12 feet below the tri-coloured lantern a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon. They shall also show the stern light specified in Rule 10(a).

(ii) If sailing vessels, shall carry a white light in a lantern so constructed as to show a clear, uniform, and unbroken light all round the horizon, and shall also, on the approach of or to other vessels show, where it can best be seen, a white flare-up light in sufficient time to prevent collision.

(iii) By day, each of the foregoing vessels shall show, where it can best be seen, a basket.

(f) In addition to the lights which they are by this Rule required to show vessels fishing may, if necessary in order to attract attention of approaching vessels, show a flare-up light. They may also use working lights.

(g) Every vessel fishing, when at anchor, shall show the lights or shape specified in Rule 11 (a), (b) or (c); and shall, on the approach of another vessel or vessels, show an additional white light at least 6 feet below the forward anchor light and at a horizontal distance of at least 10 feet away from it in the direction of the outlying gear.

(h) If a vessel when fishing becomes fast by her gear to a rock or other obstruction she shall in daytime haul down the basket required by sections (c), (d) or (e) and show the signal specified in Rule 11 (c). By night she shall show the light or lights specified in Rule 11 (a) or (b). In fog, mist, falling snow, heavy rainstorms or any other condition similarly restricting visibility, whether by day or by night, she shall sound the signal prescribed by Rule 15(c)(v), which signal shall also be used, on the near approach of another vessel, in good visibility.

NOTE.—For fog signals for fishing vessels, see Rule 15 (c) (ix).

## Rule 10

(a) A vessel when under way shall carry at her stern a white light, so constructed that it shall show an unbroken light over an arc of the horizon of 12 points of the compass (135 degrees), so fixed as to show the light 6 points ( $67\frac{1}{2}$  degrees) from right aft on each side of the vessel, and of such a character as to be visible at a distance of at least 2 miles. Such light shall be carried as nearly as practicable on the same level as the sidelights.

NOTE.—For vessels engaged in towing or being towed, see Rules 3 (b) and 5.

(b) In a small vessel, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, an electric torch or a lighted lantern shall be kept at hand ready for use and shall, on the approach of an over-taking vessel, be shown in sufficient time to prevent collision.

(c) A seaplane on the water when under way shall carry on her tail a white light, so constructed as to show an unbroken light over an arc of the horizon of 140 degrees of the compass, so fixed as to show the light 70 degrees from right aft on each side of the seaplane, and of such a character as to be visible at a distance of at least 2 miles

## Rule 11

(a) A vessel under 150 feet in length, when at anchor, shall carry in the forepart of the vessel, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least 2 miles.

(b) A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forepart of the vessel, at a height of not less than 20 feet above the hull, one such light, and at or near the stern of the vessel and at such a height that it shall be not less than 15 feet lower than the forward light, another such light. Both these lights shall be visible all round the horizon at a distance of at least 3 miles.

(c) Between sunrise and sunset every vessel when at anchor shall carry in the forepart of the vessel, where it can best be seen, one black ball not less than 2 feet in diameter.

(d) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, when at anchor, shall carry the lights or shapes prescribed in Rule 4 (c) in addition to those prescribed in the appropriate preceding sections of this Rule.

(e) A vessel aground shall carry by night the light or lights prescribed in sections (a) or (b) and the two red lights prescribed in Rule 4 (a). By day she shall carry, where they can best be seen, three black balls, each not less than 2 feet in diameter, placed in a vertical line one over the other, not less than 6 feet apart.

(f) A seaplane on the water under 150 feet in length, when at anchor, shall carry, where it can best be seen, a white light, visible all round the horizon at a distance of at least 2 miles.

(g) A seaplane on the water 150 feet or upwards in length, when at anchor, shall carry, where they can best be seen, a white light forward and a white light aft, both lights visible all round the horizon at a distance of at least 3 miles; and, in addition, if the seaplane is more than 150 feet in span, a white light on each side to indicate the maximum span, and visible, so far as practicable, all round the horizon at a distance of 1 mile.

(h) A seaplane aground shall carry an anchor light or lights as prescribed in sections (f) and (g), and in addition may carry two red lights in a vertical line, at least 3 feet apart, so placed as to be visible all round the horizon

## Rule 12

Every vessel or seaplane on the water may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use a detonating or other efficient sound signal that cannot be mistaken for any signal authorised elsewhere under these Rules.

## Rule 13

(a) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for ships of war, for vessels sailing under convoy, or for seaplanes on the water; or with the exhibition of recognition signals adopted by shipowners, which have been authorised by their respective Governments and duly registered and published.

(b) Whenever the Government concerned shall have determined that a naval or other military vessel or waterborne seaplane of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range or arc of visibility of lights or shapes, without interfering with the military function of the vessel or seaplane, such vessel or seaplane shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes as her Government shall have determined to be the closest possible compliance with these Rules in respect of that vessel or seaplane.

## Rule 14

A vessel proceeding under sail, when also being propelled by machinery, shall carry in the daytime forward, where it can best be seen, one black conical shape, point upwards, not less than 2 feet in diameter at its base.

## Rule 15

(a) A power-driven vessel shall be provided with an efficient whistle, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 20 tons or upwards shall be provided with a similar fog-horn and bell.

(b) All signals prescribed by this Rule for vessels under way shall be given:—

- (i) by power-driven vessels on the whistle;
- (ii) by sailing vessels on the fog-horn;
- (iii) by vessels towed on the whistle or fog-horn.

(c) In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals prescribed in this Rule shall be used as follows:—

- (i) A power-driven vessel making way through the water, shall sound at intervals of not more than 2 minutes a prolonged blast.
- (ii) A power-driven vessel under way, but stopped and making no way through the water, shall sound at intervals of not more than 2 minutes two prolonged blasts, with an interval of about 1 second between them.
- (iii) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.
- (iv) A vessel when at anchor shall at intervals of not more than 1 minute ring the bell rapidly for about 5 seconds. In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and in addition there shall be sounded in the after part of the vessel, at intervals of not more than 1 minute for about 5 seconds, a gong or other instrument, the tone and sounding of which cannot be confused with that of the bell. Every vessel at anchor may in addition, in accordance with Rule 12, sound three blasts in succession, namely, one short, one prolonged, and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.
- (v) A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel though being not under command or unable to manoeuvre as required by these Rules shall, instead of the signals prescribed in sub-sections (i), (ii) and (iii) sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts.



- (vi) A vessel towed, or, if more than one vessel is towed, only the last vessel of the tow, if manned, shall, at intervals of not more than 1 minute, sound four blasts in succession, namely, one prolonged blast followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.
- (vii) A vessel aground shall give the signal prescribed in sub-section (iv) and shall, in addition, give three separate and distinct strokes on the bell immediately before and after each such signal.
- (viii) A vessel of less than 20 tons, a rowing boat, or a seaplane on the water, shall not be obliged to give the above-mentioned signals, but if she does not, she shall make some other efficient sound signal at intervals of not more than 1 minute.
- (ix) A vessel when fishing, if of 20 tons or upwards, shall at intervals of not more than 1 minute, sound a blast, such blast to be followed by ringing the bell; or she may sound, in lieu of these signals, a blast consisting of a series of several alternate notes of higher and lower pitch.

#### Rule 16

*Speed to be moderate in fog, etc.*

(a) Every vessel, or seaplane when taxi-ing on the water, shall, in fog, mist, falling snow, heavy rainstorms or any other condition similarly restricting visibility, go at a moderate speed, having careful regard to the existing circumstances and conditions.

(b) A power-driven vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

#### PART C.—STEERING AND SAILING RULES

##### *Preliminary*

1. In obeying and construing these Rules, any action taken should be positive, in ample time, and with due regard to the observance of good seamanship.

2. Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

3. Mariners should bear in mind that seaplanes in the act of landing or taking off, or operating under adverse weather conditions, may be unable to change their intended action at the last moment.

#### Rule 17

When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows:—

(a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(e) A vessel which has the wind aft shall keep out of the way of the other vessel.

#### Rule 18

(a) When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This Rule only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other. The only cases to

which it does apply are when each of two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the sidelights of the other. It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or, by night, to cases where the red light of one vessel is opposed to the red light of the other or where the green light of one vessel is opposed to the green light of the other or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

(b) For the purposes of this Rule and Rules 19 to 29 inclusive, except Rule 20 (b), a seaplane on the water shall be deemed to be a vessel, and the expression "power-driven vessel" shall be construed accordingly.

#### Rule 19

When two power-driven vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

#### Rule 20

(a) When a power-driven vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except as provided in Rules 24 and 26, the power-driven vessel shall keep out of the way of the sailing vessel.

(b) A seaplane on the water shall, in general, keep well clear of all Vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with these Rules.

#### Rule 21

Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed. When from any cause, the later vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision (see Rules 27 and 29).

#### Rule 22

Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

#### Rule 23

Every power-driven vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

#### Rule 24

(a) Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

(b) Every vessel coming up with another vessel from any direction more than 2 points (22½ degrees) abaft her beam, i.e., in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's sidelights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(c) If the overtaking vessel cannot determine with certainty whether she is forward of or abaft this direction from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

#### Rule 25

(a) In a narrow channel every power-driven vessel when proceeding along the course of the channel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

(b) Whenever a power-driven vessel is nearing a bend in a channel where a power-driven vessel approaching from the other direction cannot be seen, such vessel, when she shall have arrived within one-half mile of the bend, shall give a signal by one prolonged blast of her whistle, which signal shall be answered by a similar blast given by any approaching power-driven vessel that may be within hearing around the bend. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

#### Rule 26

All vessels not engaged in fishing shall, when under way, keep out of the way of any vessels fishing with nets or lines or trawls. This Rule shall not give to any vessel engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels.

#### Rule 27

In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the craft involved, which may render a departure from the above Rules necessary in order to avoid immediate danger.

### PART D.—MISCELLANEOUS

#### Rule 28

(a) When vessels are in sight of one another, a power-driven vessel under way, in taking any course authorised or required by these Rules, shall indicate that course by the following signals on her whistle, namely:—

One short blast to mean "I am altering my course to starboard."

Two short blasts to mean "I am altering my course to port."

Three short blasts to mean "My engines are going astern."

(b) Whenever a power-driven vessel which, under these Rules, is to keep her course and speed, is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle. The giving of such a signal shall not relieve a vessel of her obligations under Rules 27 and 29 or any other Rule, or of her duty to indicate any action taken under these Rules by giving the appropriate sound signals laid down in this Rule.

(c) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to the use of additional whistle signals between ships of war or vessels sailing under convoy.

#### Rule 29

Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

#### Rule 30

##### *Reservation of Rules for Harbours and Inland Navigation.*

Nothing in these Rules shall interfere with the operation of a special rule duly made by local authority relative to the navigation of any harbour, river, lake, or inland water, including a reserved seaplane area.

#### Rule 31

##### *Distress Signals*

When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely:—

(a) A gun or other explosive signal fired at intervals of about a minute.

(b) A continuous sounding with any fog-signal apparatus.

(c) Rockets or shells, throwing red stars fired one at a time at short intervals.

- (d) A signal made by radiotelegraphy or by any other signalling method consist of the group . . . - - - . . . in the Morse Code.
- (e) A signal sent by radiotelephony consisting of the spoken word "Mayday".
- (f) The International Code Signal of distress indicated by N.C.
- (g) A signal consisting of a square flag having above or below it a ball or anything resembling a ball.
- (h) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.).
- (i) A rocket parachute flare showing a red light.

The use of any of the above signals, except for the purpose of indicating that a vessel or a seaplane is in distress, and the use of any signals which may be confused with any of the above signals is prohibited.

NOTE:—A radio signal has been provided for use by vessels in distress for the purpose of actuating the auto-alarms of other vessels and thus securing attention to distress calls or messages. The signal consists of a series of twelve dashes, sent in 1 minute, the duration of each dash being 4 seconds, and the duration of the interval between two consecutive dashes 1 second.

#### Rule 32

All orders to helmsmen shall be given in the following sense: right rudder starboard to mean "put the vessel's rudder to starboard"; left rudder or port mean "put the vessel's rudder to port."

#### SECOND SCHEDULE

*List of the countries which have accepted the International Regulations for preventing collisions at Sea, 1948*

Commonwealth of Australia.  
 Kingdom of Belgium  
 Republic of the United States of Brazil.  
 Union of Burma.  
 Dominion of Canada.  
 Republic of Chile.  
 Republic of Colombia.  
 Kingdom of Denmark.  
 Dominican Republic.  
 Republic of Ecuador.  
 Republic of Egypt.  
 Republic of Finland.  
 Republic of France.  
 Kingdom of Greece.  
 Hungarian People's Republic.  
 Republic of Iceland.  
 Republic of India.  
 Kingdom of Iraq.  
 Republic of Ireland.  
 Republic of Italy.  
 Republic of Mexico.  
 Kingdom of the Netherlands.  
 Dominion of New Zealand.  
 Republic of Nicaragua.  
 Kingdom of Norway.  
 Dominion of Pakistan.  
 Republic of Panama.  
 Republic of Peru.  
 Republic of the Philippines.  
 Polish People's Republic.  
 Republic of Portugal.  
 Roumanian People's Republic.  
 Union of South Africa.  
 Union of Soviet Socialist Republics.  
 The Spanish State.  
 Kingdom of Sweden.  
 Republic of Turkey.  
 United Kingdom of Great Britain and Northern Ireland.  
 Republic of the United States of America.  
 Federative People's Republic of Yugoslavia.

## THIRD SCHEDULE

*Provisions Revoked**Part I*

The whole of the Order in Council made on the 6th day of September, 1880, applying the Regulations for Preventing Collisions at Sea of 1879 to ships belonging to Khelat, Muscat, Zanzibar, Cochin, Travancore, Kutch and Kattyawar(h).

The whole of the Order in Council made on the 13th day of October 1910, consolidating Orders in Council making Regulations for Preventing Collisions at Sea and Rules as to Signals of Distress(l).

The whole of the Merchant Shipping (Distress Signals) Order, 1932(j).

The whole of the Merchant Shipping (Urgency Signal) Order, 1932(k).

*Part II*

Paragraph (1) of Rule 19 of Schedule II to the Air Navigation Order, 1949(1).

Subparagraph (a) of paragraph 4 of the First Schedule to the Air Navigation (Amendment) Order, 1950(m), and paragraph 13 of the said First Schedule.

Paragraph (1) of Rule 19 of Schedule II to the Colonial Air Navigation Order, 1949(n).

Subparagraph (a) of paragraph 4 of the First Schedule to the Colonial Air Navigation (Amendment) Order, 1950(o), and paragraph 13 of the said First Schedule.

*Explanatory Note*

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order in Council makes regulations for preventing collisions at sea (including collisions involving seaplanes on the water) and prescribes what signals shall be used by ships as signals of distress. The Order gives effect to the International Regulations for Preventing Collisions at Sea, 1948, which were approved by the International Conference on Safety of Life at Sea, 1948.

(h) S.R. & O. Rev. 1903, VIII, Merchant Shipping, p. 252.

(i) S.R. & O. 1910/1113; Rev. XIV, p. 515; 1910, p. 457.

(j) S.R. & O. 1932/945; Rev. XIV, p. 527; 1932, p. 931.

(k) S.R. & O. 1932/946; Rev. XIV, p. 528; 1932, p. 932.

(l) S.I. 1949/349; 1919 I, p. 165.

(m) S.I. 1950/563; 1950 I, p. 302.

(n) S.I. 1949/200; 1949 I, p. 359.

(o) S.I. 1950/1188; 1950 I, p. 329.

[No. 58-MA(3)/54.]

**S.R.O. 144.**—In exercise of the powers conferred by section 273 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Transport, No. S.R.O. 138, dated the 7th January, 1953, namely:—

In the Schedule to the said notification, in the entries against section 273 and relating to the Superintendent of Central Excise, Jamnagar Circle and Deputy Superintendent of Central Excise, Okha, for the words and brackets "Beyt and Dwarka (Rupen)" in the third column headed "Limits", the words and brackets "Beyt, Dwarka (Rupen) and Okha" shall be substituted.

[No. 33-M.A(1)/54.]

S. K. GHOSH, Dy. Secy.

**MINISTRY OF COMMERCE AND INDUSTRY***Bombay, the 24th December 1954*

**S.R.O. 145.**—In exercise of the powers conferred on me by clause 20 of the Cotton Textiles (Control) Order, 1948, I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. 9(9)-Tex.1/49, dated the 15th April 1950, namely:—

In the said Notification,

I. For paragraph (ii) of direction I the following paragraph shall be substituted, namely:—

“(ii) Directions 9(aa), 9(b) and (c) shall be complied with by all producers who have a spinning plant. Directions 9(d) and (f) shall be complied with by all producers who have no spinning plant. The remaining directions 2 to 8, 9(a), 9(e) and 10 shall be complied with by all producers, that is to say, both by producers who have a spinning plant and those who have not;”

II. In direction 9,

(1) for paragraph (c) the following paragraph shall be substituted, namely:—

“(c) no producer who has a spinning plant shall use any coloured yd in the body of a saree except in the heading thereof”.

(2) for paragraph (e) the following paragraph shall be substituted, namely:—

“(e) no producer shall produce any saree with a heading more than 9” in width.”

(3) The existing Explanation shall be renumbered as Explanation I, and after Explanation I as so renumbered, the following shall be inserted, namely:—

“Explanation II. The term “heading” in paragraph (e) of this direction, means heading woven with coloured or grey yarn, and includes printed heading.”

M. R. KAZIMI,  
Textile Commissioner.

[No. T.C.(9)17/50.]

*New Delhi, the 8th January 1955*

**S.R.O. 146.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (Act XXIV of 1946) the Central Government hereby directs that the following further amendment shall be made in the Cotton Textiles (Control) Order, 1948, namely:

In the said Order, after clause 30 the following shall be inserted, namely:

“30A. The Textile Commissioner may, for the purpose of determining what steps would be necessary for maintaining or increasing supplies of cloth or yarn, conduct, or cause to be conducted, such enquiry as he may deem appropriate in relation to any producer.”

[No. 9(4)-CT(A)/55-1.]

P. V. S. SARMA, Under Secy.

*Bombay, the 29th December 1954*

**S.R.O. 147.**—In exercise of the powers conferred by the proviso to Explanation I to sub-section (1) of section 3 of the Dhoties (Additional Excise Duty) Act, 1953 (39 of 1953), the Central Government hereby fixes the permissible quota for the quarter ending on 31st March, 1955 and every subsequent quarter, in respect of the Mandsaur Textile Mills, Mandsaur to be 1,39,776 (one hundred thirty nine thousand seven hundred and seventy six) yards.

[No. 9(27)-CT(A)/53-II.]

P. S. NAYAR, Under Secy.

# CORRIGENDUM

*New Delhi, the 7th January 1955*

**S.R.O. 148.**—In the Order of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 203, dated the 6th January, 1954, published in the Gazette of India, Part II, Section 3, dated the 9th January, 1954,—

For "Shri Radhesyam Prajiya. National Engineering Workers' Union,  
—C/o The Hind Cycles Ltd., Bombay."

Read "Shri R. S. Parija, 8/1, Foot of Worli Hills' House, Opposite Glaxo Laboratories Ltd., Worli, Bombay-18."

[No. 5(5)IA(G)/53.]

P. S. SUNDARAM, Under Secy.

## TEA CONTROL

*New Delhi, the 8th January 1955*

**S.R.O. 149.**—In pursuance of Section 19 of the Tea Act, 1953 (29 of 1953), and in modification of the Notification of the Government of India in the Ministry of Commerce and Industry S.R.O. No. 3685, dated the 31st December 1954, the Central Government is pleased to declare that the Indian export allotment of tea for the financial year 1954-55 shall be 464,908,637 lbs. avoirdupois being 133½ per cent. of India's standard export figure.

[No. 36(1)Plant/54.]

R. N. KAPUR, Under Secy.

## MERCHANDISE MARKS

*New Delhi, the 12th January 1955*

**S.R.O. 150.**—The following draft of certain amendments to the notification of the Government of India in the Ministry of Commerce and Industry, No. S.R.O. 440, dated the 31st March, 1951, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 12A of the Indian Merchandise Marks Act, 1889 (IV of 1889), is published, as required by sub-section (4) of the said section for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 14th February, 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified above will be considered by the Central Government.

### *Draft Amendment*

In Part II of the Schedule to the said notification, after item 8 the following item shall be added, namely:—

"9. Zip Fasteners

on the goods  
themselves".

[No. 3(47)-TMP(MM)/54.]

*New Delhi, the 15th January 1955*

**S.R.O. 151.**—In exercise of the powers conferred by section 20 of the Indian Standards Institution (Certification Marks) Act, 1952 (XXXVI of 1952), the Central Government hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:—

### THE INDIAN STANDARDS INSTITUTION (CERTIFICATION MARKS) RULES, 1955

**1. Short title and commencement.**—(1) These rules may be called the Indian Standards Institution (Certification Marks) Rules, 1955.

(2) They shall come into force on the 20th day of January, 1955.

**2. Definitions.**—(1) In these rules, unless the context otherwise requires,—

(a) "the Act" means the Indian Standards Institution (Certification Marks) Act, 1952 (XXXVI of 1952);

- (b) "applicant" means a person who has applied to the Institution for a licence;
- (c) "Form" means a form set out in these rules;
- (d) "licensee" means a person to whom a licence has been granted under the Act;
- (e) "regulation" means a regulation made by the Institution under section 21; and
- (f) "section" means a section of the Act.

(2) All words or expressions used in these rules which are not defined shall have the same meanings as in the Act.

**3. Establishment and publication of Indian Standards.**—(1) The Institution shall by means of regulations lay down the procedure to be followed by it—

- (a) in establishing the Indian Standard, in relation to any article or process, and
- (b) from time to time, in adding to, amending, varying or rescinding any Indian Standard so established;

Provided that any Indian Standard established by the Institution at any time before the date on which the regulations come into force shall be deemed to have been established under the provisions of these rules.

(2) A list of the Indian Standards established by the Institution at any time before the commencement of the regulations shall be published in the Official Gazette as soon as may be, after such commencement, and thereafter a list of the Indian Standards established by the Institution during any quarter shall be published in the quarter immediately following the quarter to which the list relates.

(3) Indian Standards established by the Institution shall, from time to time, be published by the Institution and copies thereof shall be made available for sale.

**4. Standard Mark.**—(1) The design of the Standard Mark in relation to each Indian Standard together with a verbal description of the design of the Standard Mark and the title of the Indian Standard or the titles of the set of Indian Standards to which the design relates shall be published by the Institution in the Official Gazette.

(2) The Institution may, from time to time, by order notified in the Official Gazette, add to, amend, vary or rescind and Standard Mark published under sub-rule (1).

**5. Application for a Licence.**—(1) Every application for the grant of a licence shall be made to the Institution in Form I.

(2) Every application for a licence shall be accompanied by a statement furnishing in detail any scheme of inspection and test which the applicant maintains or has in use or proposes to maintain or to put into use and which is designed to regulate, during the course of manufacture or production, the quality of the articles or process for which the licence is sought.

(3) Every application shall be signed, in the case of an individual, by the applicant or, in the case of a firm, by the proprietor, partner or the managing director of the firm or by any other person authorised to sign any declaration on behalf of the firm. The name and designation of the person signing the application shall be recorded legibly in the space set apart for the purpose in the application form.

(4) Every application for a licence shall, on receipt by the Institution, be numbered in order of priority of the receipt and be acknowledged.

(5) The Institution may call for any supplementary information or documentary evidence from any applicant in support of any statement made by him in his application within such time as may be directed by the Institution and any non-compliance with such direction may have the effect of the application being summarily rejected by the Institution.



**6. Fees.**—The fees and expenses leviable in respect of the grant or renewal of a licence and in respect of all matters in relation to such licence shall be prescribed in the regulations;

**7. Preliminary Inquiry.**—On receipt of an application for a licence and before granting a licence, the Institution may—

- (a) require evidence to be produced that the articles or process in respect of which a licence has been applied for conform to the related Indian Standard or Indian Standards;
- (b) require evidence to be produced that the applicant has in operation a scheme of routine inspection and testing, which will adequately ensure that all marked products shall conform to the Indian Standards;
- (c) require all reasonable facilities to be provided to an Inspector of the Institution to inspect the office, workshop or godowns of the applicant for the purpose of verifying the evidence produced by the applicant under clause (a) and/or clause (b) or both so as to enable the Inspector to submit a report to the Institution;
- (d) for the purpose of clause (a), direct the applicant to submit samples, at his own cost, to such testing authority as the Institution may consider appropriate, and
- (e) on the basis of any report received under clause (c) and/or clause (d) or both, require the application to carry out such alterations in, or additions to, the scheme of inspection and testing or the process of manufacture or production in use by the applicant as the Institution may think fit.

**8. Grant of a Licence.**—(1) If the Institution is satisfied, after a preliminary inquiry, that the applicant is a fit person to use a Standard Mark, the Institution may grant him a licence authorising him to use such Standard Mark in respect of the article or class of articles manufactured by him or in respect of the process employed by him in any manufacture or work, subject to such terms and conditions, if any, as the Institution may deem fit to impose.

(2) A licence shall be granted in Form II for a period not exceeding three years and the Institution may, on an application made by the licensee at least one month before the expiry of the period for which the licence has been granted, renew the same for a period not exceeding three years at a time.

(3) The Institution may, on one month's notice to a licensee, and during the period of the validity of the licence alter any terms and conditions subject to which the licence has been granted.

(4) Where the Institution, after a preliminary inquiry, is of the opinion that a licence should not be granted, the Institution may, not later than three months from the date of receipt of the application give a reasonable opportunity to the applicant of being heard either in person or through a representative authorised by him in this behalf and may take into consideration any fact or explanation urged on behalf of the applicant before rejecting the application.

**9. Inspectors.**—(1) Every Inspector appointed under sub-section (1) of section 8 shall be furnished by the Institution with a certificate of appointment as an Inspector in Form III. The certificate shall be carried by the Inspector at all times while he is on duty and shall, on demand, be produced by him.

(2) Every applicant for a licence or every licensee shall afford to the Inspector such reasonable facilities as the Inspector may require for carrying out the duties imposed on him by or under the Act.

**10. Power of Inspector.**—For the purposes of performing the duties imposed on him by or under the Act, an Inspector may—

- (a) at any time during the usual business hours enter upon any premises in which any article or process in respect of which a licence has been granted under rule 8 is manufactured or employed by a licensee with a view to ascertaining that the Standard Mark is being used in accordance with the terms and conditions imposed by the Institution and that the scheme of routine inspection and testing specified by the Institution is being correctly followed;
- (b) inspect and take samples at such premises of any such article or any material used or intended to be used in the manufacture of such article which is marked with a Standard Mark;

- (c) inspect any process at such premises in respect of which the licensee has been given the authority to use the Standard Mark;
- (d) examine the records kept by the licensee relating to the use of the Standard Mark;
- (e) at any time between sunrise and sunset enter the premises of any person who is not licensed under rule 8 and in respect of whom the Institution has reasons to believe that a Standard Mark prescribed for any article or process is being affixed by such person on any article manufactured, produced, processed or treated by him in contravention of the provisions of this Act and these rules and inspect any operation carried out in or upon such premises and take samples of any such article or material used or believed to be used in the manufacture, production, processing or treatment of such article or open any package or container which contains or is believed to contain any quantity of any such article, material or substance.

**11. Suspension or cancellation of a licence.**—(1) Any licence granted by the Institution may be suspended or cancelled by it, if it is satisfied—

- (a) that the articles marked with the Standard Mark under a licence do not comply with the related Indian Standard or Standards; or
  - (b) that the licensee has used the mark in respect of a process which does not come up to the related Indian Standard or Standards; or
  - (c) that the licensee has failed to provide reasonable facilities to any Inspector to enable him to discharge the duties imposed on him by or under the Act; or
  - (d) that the licensee has failed to comply with any of the terms and conditions of the licence.
- (2) No licence shall be suspended or cancelled, unless the Institution—
- (i) has served on the licensee a notice of its intention to do so stating the grounds for the proposed action; and
  - (ii) has considered in such manner as may be provided in the regulations, any explanation which the licensee may urge on his behalf at any time before the expiry of the period specified in the notice.

(3) Where a licence has been suspended or cancelled or the term thereof has not been renewed on the expiry of the period of its validity, the licensee shall discontinue forthwith the use of the Standard Mark notwithstanding the pendency of any appeal or intended appeal before the Central Government under section 11 and if there be with the licensee or his agents any articles in stock which have been improperly marked, the licensee or his agents, as the case may be, shall take necessary steps to get the Standard Mark on such articles either removed, cancelled, defaced or erased.

**12. Decision of the Institution.**—The decision of the Institution under sub-rule (4) of rule 8 or rule 11 together with the grounds for arriving at such decision shall be communicated in writing by registered post to the applicant or the licensee, as the case be.

**13. Competent authority.**—(1) The Central Government may specify in a notification under section 10 all or any of the following authorities or organisations to discharge the functions of a competent authority under the Act, namely:—

- (i) an organisation or officer of the Government,
- (ii) a testing organisation or laboratory,
- (iii) an organisation of analysts,
- (iv) an organisation comprising a sector of a particular industry or trade, or
- (v) any other organisation on whom the Central Government may deem it fit to confer the powers of a competent authority.

(2) Any authority or organisation specified in sub-rule (1) may apply to the Central Government furnishing particulars of its constitution, and the resources at its disposal for carrying out the inspection of the nature specified in the Act and these rules together with an undertaking that it shall comply with the provisions of the Act and these rules and the regulations made thereunder or with any order, direction or instruction which may from time to time be made, issued or given by the Central Government or the Institution.

(3) On receipt of an application from any such authority or organisation, the Central Government, if it is satisfied after necessary inquiries that the authority or organisation is fit to act as a competent authority, may, in consultation with the Institution, by notification in the Official Gazette specify the authority or organisation as a competent authority and direct that any power exercisable by the Institution under clause (e) of section 3 may be exercisable also by such authority or organisation and subject to such conditions, if any, as may be specified in the notification. In issuing any direction under this clause, the Central Government shall specify the industries in respect of which and the area or areas for which the said powers shall be exercisable by such competent authority.

14. **Exemption from prohibition to use certain names etc.**—(1) The Institution may exempt any name, mark or trade mark, referred to in section 6 from the operation thereof, if such name, mark or trade mark has been established by or under any law for the time being in force and an application has been made to it by any person under sub-rule (2) within a period of six months from the date of commencement of these rules.

(2) Any person Claiming an exemption in respect of any name, mark or trade mark under sub-rule (1) may make an application to the Institution in Form IV.

(3) The Institution shall maintain a register in which shall be entered all names, marks and trade marks exempted by the Institution under sub-rule (1).

15. **Appeals against decisions of the Institution.**—(1) An appeal under section 15 may be preferred to the Central Government within three months from the date of the decision of the Institution communicated to the applicant or licensee or within such further time as may be allowed by the Central Government and such appeal shall be lodged in duplicate.

(2) The Central Government may call for relevant papers from the Institution and may after such inquiry in the matter as it considers necessary pass such order as it thinks fit and any such order passed by the Central Government shall be final.

**FORM I**

(See rule 5)

### Application for Licence to use the Standard Mark

**To**

**The Director, Indian Standards Institution.**

1. I/We, carrying on business at..... (full business address)  
under the style of ..... (full name of individual or firm)  
hereby apply for a licence under the INDIAN STANDARDS INSTITUTION  
(CERTIFICATION MARKS) ACT, 1952, to use the Standard Mark in respect of  
the article/class of articles which conforms to the Indian Standard(s) listed  
process

below:—

(a)\* Article .....

Type .....

Size .....

Grade .....

(b) \* Class of Articles .....

Type .....

Size .....

Grade .....

(c) • Process.....

(d) Related Indian Standard(s)

No. .... Title .....

No.	Title
-----	-------

2. The above article(s) are manufactured by.....

process is carried out

(name of factory) on the premises situated at ..... (address).

\*Only one of the three items under (a), (b) and (c) may be covered by one application. Strike out the other two.

3. Production figures for the said article(s) and the value thereof to the best process of my/our knowledge and estimates are as follows:—

Year	Production	Unit	Value Rs.
Last year from..... to.....			
Current year from.... to.....(estimates)			

4. In order to ensure conformity of the said article(s) to the related Indian Standard(s)—  
process

\*\*I/We have in use/propose to use the Scheme of Inspection and Testing described in the Statement attached hereto. Routine records of all the inspection and tests are being/will be kept in the form detailed in the statement. I/we further undertake to modify, amend or alter my/our Scheme of Inspection and Testing to bring it in line with that which may be specified by you from time to time.

\*\*I/We have at present no Scheme of Inspection and Testing in operation. I/We, however, undertake to put in operation any such scheme as recommended by the Institution.

5. Should any initial enquiry be made by the Institution, I/we agree to extend to the Institution all reasonable facilities at my/our command and I/we also agree to pay all expenses of the said enquiry, including charges for testing, as and when required by the Institution.

6. Should the licence be granted and as long as it will remain operative, I/we hereby undertake to abide by all the terms and conditions of the licence and the Rules and Regulations prescribed under the aforesaid Act. In the event of the licence being suspended or cancelled, I/we also undertake to cease with immediate effect to use the Standard Mark on any article covered by the licence and to withdraw all relevant advertising matters and to take such other steps as may be necessary to fulfil the provisions of the aforesaid Rules and Regulations.

Dated this ..... day of .....

Signature.....

Name .....

Designation.....

For and on behalf of ..... (Name of firm)

## FORM II

(See rule 8)

### INDIAN STANDARDS INSTITUTION

#### Licence for the use of Standard Mark

Licence No. ....

1. By virtue of the power conferred on it by the INDIAN STANDARDS INSTITUTION (CERTIFICATION MARKS) ACT, 1952, the INSTITUTION hereby grants to ..... of ..... (hereinafter called "the licensee") this licence to use the Standard Mark set out in the first column of the First Schedule hereto upon or in respect of the article(s)/process set out in the second column of the said Schedule which is (are) manufactured in accordance with/conforms to the related Indian Standard(s) referred to in the third column of the said Schedule as from time to time amended or revised.

2. This licence carries the rights and obligations stipulated in the rules and regulations made under the above mentioned Act. In pursuance of his obligations, the licensee shall pay in due manner and time the scheduled Marking Fee set out in the Second Schedule hereto and maintain to the satisfaction of the Institution the Scheme of Testing and Inspection a copy of which is attached hereto.

\*\*Strike out one not applicable.

3. This licence shall be valid from.....to ..... and may be renewed as prescribed in the Rules and Regulations.

Signed, Sealed and Dated this.....day of..... 19.....

for Indian Standards Institution.  
Seal of the Institution.

#### THE FIRST SCHEDULE

Standard Mark (1)	Article/Process (2)	Indian Standard (s) (3)

#### THE SECOND SCHEDULE

Schedule of Marking Fee for Licence No.....

Article Process (3)	Unit (2)	Marking Fee per Unit (3)	Manner of Payment (4)

#### Attachment

To Licence No. ....Scheme of Testing and Inspection.

#### FORM III

(See rule 9)

#### INDIAN STANDARDS INSTITUTION

#### Certificate of Appointment of Inspector

It is hereby declared that Shri ..... (name and designation) whose photograph is attached and whose signature appears below has for the assignment hereinafter stated been appointed by the Institution as an Inspector for the purposes of the INDIAN STANDARDS INSTITUTION (CERTIFICATION MARKS) ACT, 1952 to hold office from this..... day of ..... 19 .....

Assignment .....

.....  
.....

Photograph

Seal of the  
Institution

Signature of Inspector.

for Indian Standards Institution.

## FORM IV

(See rule 14)

Application for Exemption from Prohibition under Section 6 of the Indian Standards Institution (Certification Marks) Act, 1952.

To

The Director, Indian Standards Institution.

1. I/We carrying on business at ..... (full business address) under the style of ..... (full name) hereby apply for exemption from prohibition under section 6 of the Indian Standards Institution (Certification Marks) Act, 1952, in respect of the name/mark/trade mark detailed below of which I/we am/are the proprietor(s). Complete information in regard to its use is furnished as required.

- (1) Name/mark/trade mark\* in respect of which exemption is sought.
- (2) Whether registered.
- (3) Date of registration and registration number.
- (4) Authority with whom registered.
- (5) Since when the name/mark/trade mark\* has been in actual use by the applicant.
- (6) The article(s) in relation to which the name/mark/trade mark\* is used.
- (7) Claim for distinctiveness of the name/mark/trade mark\*.
- (8) Full particulars about the nature of business of the applicant.
- (9) Any other remarks.

2. I/We declare that the information given above is to the best of my/our knowledge true, and in support of it I/we attach the following documentary evidence.

List of documents enclosed.

Dated this ..... day of ..... 19

Signature .....

Name .....

Designation .....

for and on behalf of

.....

NOTE.—Separate applications shall be made for each name/mark/trade mark.

\*Strike out which do not apply.

[No. 25(37)-T.M.P./52.]

K. N. SHENOY, Dy. Secy.

## MINISTRY OF IRRIGATION AND POWER

New Delhi, the 8th January 1955

**S.R.O. 152.**—In exercise of the powers conferred by sub-section (2) of section 36 of the Indian Electricity Act, 1910 (IX of 1910), the Central Government hereby appoints Shri T. N. Idnani, Director, Central Water and Power Commission (Power Wing) to be an Electric Inspector within the State of Tripura.

[No. EL-II-12(19)/II.]

## ORDER

New Delhi, the 8th January 1955

**S.R.O. 153.**—In exercise of the powers conferred by section 55 of the Indian Electricity Act, 1910 (IX of 1910), the Central Government hereby authorises the discharge of the functions of the State Government under section 13 and 18, sub-section (2) of section 34 and sub-clause (2) of clause V and clause XIII of the Schedule to the said Act, in the State of Tripura by Shri T. N. Idnani, Electric Inspector.

[No. EL-II-12(19)/II.]

K. L. SAXENA, Under Secy.

**MINISTRY OF FOOD AND AGRICULTURE***New Delhi, the 4th January 1955*

**S.R.O. 154.**—In exercise of the powers conferred by clause 11 of the Sugar and Gur Control Order, 1950, the Central Government hereby directs that subject to any general or special orders which may from time to time be issued by it in this behalf, the powers under clause 8 of the said order shall also be exercisable by the Cane Commissioner, Punjab for the purpose of allowing rebate in the minimum price of sugarcane, in excess of the limit prescribed in proviso (1) of the Government of India in the Ministry of Food and Agriculture Notification No. S.R.O. 3160, dated the 29th September, 1954 and subject to a maximum of -/8/- per maund of cane, in the interest of the growers.

[No. SV-101(9)/53-54.]

P. A. GOPALKRISHNAN, Joint Secy.

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**(Agriculture)***New Delhi, the 7th January 1955*

**S.R.O. 155.**—Under Section 4(X) of the Indian Cotton Cess Act, 1923 (XIV of 1923), the Central Government hereby nominates Shri K. S. Krishnaswami, Joint Secretary, Ministry of Finance, as a member of the Indian Central Cotton Committee, with effect from 16th November, 1954, *vice* Shri R. Narayanaswami resigned.

[No. F.1-12/54-Com.II.]

F. C. GERA, Under Secy.

## (Agriculture)

New Delhi, the 10 January, 1955

**S. R. O. 156.**—In pursuance of the provisions of Rule 26 (4) of the Indian Oilseeds Committee Rules, 1947, framed under Section 17 of the Indian Oilseeds Committee Act, 1946 (IX. of 1946) the Central Government hereby publish the audited accounts of "Receipts & Expenditure of the Indian Central Oilseeds Committee" for the year ending on the 31st March, 1952, along with the auditors' report recorded thereon:—

Receipts	Amount	Total	Payments	Amount	Total
	Rs.	Rs.		Rs.	Rs.
Opening Balance on 1-4-1951			A. Administration of Indian Central Oilseeds Committee.	1,17,771	10 3
Bank.	6,95,028 8 2		B. Travelling Allowance to Members.	27,535	11 0
Imprest Cash.	252 0 0		C. Measures taken for promoting Agricultural Research.	1,76,137	0 9
Securities.	34,48,781 4 0	41,44,061 12 2	D. Measures taken for promoting Technological Research.	2,093	8 0
Cess collections under section 3 (2) of the Indian Central Oilseeds Committee Act, 1946	15,30,145 13 8	15,30,145 13 8	F. Measures taken for promoting Development & Marketing.	1,35,346	3 1
Interest on investments.	80,024 14 0	80,024 14 0	F. Deposits & advances refundable	4,249	0 0
Miscellaneous Receipts.	304 8 3	304 8 0	G. Subsidies for publications.	11,500	0 0
Grants from the Central Govt. from the Ground nut and Linseed Funds.	603 10 8	603 10 8	H. Investment of funds as on 31-3-1952:—		
Receipts of unspent balances of grants for the schemes financed by the Indian Central Oilseeds Committee.	4,813 7 0	4,813 7 0	1. 3% Conversion loan 1946-1986	4,96,093 12 0	
Recovery of Deposits and Advances	1,355 6 0	1,355 6 0	2. 2½% Govt. of India Loan 1956	7,98,000 0 0	
			3. 3% Madras Loan 1952.	5,04,687 8 0	
			4. Short term deposit with Imperial Bank of India.	3,00,000 0 0	
			5. 3½ ten years treasury savings certificates.	50,000 0 0	
			6. Fixed Deposit with the Imperial Bank of India.	5,00,000 0 0	
			7. Post Office National Savings certificates.	1,00,000 0 0	
			8. 2½% Govt. of India Loan 1960.	9,59,375 0 0	37,08,156 4 0



				1. Closing balance on 31-3	Bank 15,78,267 10 5	
				Imperest	Cash	5
					Cash	250 4 0
					Vouchers.	1 12 0
TOTAL						252 0 0
						15,78,519 10 5
						57,61,309 7 9

(Sd.) N. S. SREEKANTIAH, *Secretary.*

Indian Central Oilseeds Committee.

The accounts have been examined and according to the best of my information and in consideration of the explanation given as a result of test audit of the accounts they are correct.

(Sd.) S. C. NANDA,  
Assistant Examiner, O.A.D., A.G.(F.R. & S.)

[F 5-69/53-Com-I.]

New Delhi the 15th July 1953

**S.R.O. 157.**—In pursuance of the provisions of Rule 26(4) of the Indian Oilseeds Committee Rules, 1947 framed under Section 17 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the Central Government hereby publish the audited accounts of "Receipts and Expenditure" of the Indian Central Oilseeds Committee for the year ending on the 31st March, 1953 along with the auditors' report recorded thereon.

Receipts	Amount		Total		Payments	Amount		Total	
	Rs.	A. P.	Rs.	A. P.		Rs.	A. P.	Rs.	A. P.
Opening Balance on 1-4-1952									
Bank . . . . .	15,78,267	10 5			A. Administration of Indian Central Oilseeds Committee.			1,17,874	7 0
Imprest Cash . . . . .	252	0 0							
Securities . . . . .	37,08,156	4 0	52,86,675	14 5	B. Travelling Allowance to members.			28,231	12 0
Cess Collections under section 3 (2) of the Indian Central Oilseeds Committee Act, 1946.	10,01,491	7 5	10,01,491	7 5	C. Measures taken for promoting Agricultural Research.			3,05,554	10 8
Interest on Investments . . . . .	84,922	5 11			D. Measures taken for promoting Technological Research.			32,923	7 0
Less difference between the purchase value and face value of 3% Madras Loan 1952.	4,687	8 0	80,234	13 11					
Miscellaneous Receipts . . . . .	394	0 0	394	0 0	E. Measures taken for promoting Development & Marketing.			2,79,942	2 1
Grants from the Central Government from the Groundnut & Linseed funds.	1,49,980	10 8	1,49,980	10 8	F. Deposits & Advances refundable			2,085	0 0
Receipts of unspent balances of grants for the scheme financed by the Indian Central Oilseeds Committee.	260	0 0	260	0 0	G. Subsidies for publications . . . . .			3,838	0 0
Recovery of Deposits and Advances	2,681	10 0	2,681	10 0	H. Investment of funds as on 31-3-53:—				
					1. 3% Conversion Loan 1946-1986	4,96,093	12 0		
					2. 2½% Govt. of India Loan 1955	7,98,000	0 0		
					3. Short term deposit with Imperial Bank of India.	3,00,000	0 0		
					4. 3½% Ten years treasury savings certificates.	50,000	0 0		
					5. Post Office National Saving certificates.	1,00,000	0 0		
					6. 2½% Govt. of India Loan, 1960	9,59,375	0 0		
					7. 2½% Govt. of India Loan, 1954	1,96,625	0 0		
					8. 3% 1957 (First Victory Loan)	2,96,437	8 0		
					9. 3% 1959/61 (Second Victory Loan).	1,92,375	0 0		
					10. 3% Govt. of India Loan, 1964	4,62,968	12 0		
					11. 3% 1957 (First Victory Loan)	2,96,015	10 0		
					12. 2½% Govt. of India Loan, 1962	5,47,312	8 0		
					13. 3% Govt. of India Loan, 1963	4,62,187	8 0		
					165.				

			14. 3%, 1959/61 (Second Vic Loan).	4,80,000	0	0	₹ 56,37,390	10	0
			Bank	1,13,626	7	8			
Total		65,21,718	8 5	Imprest cash on 31-3-1953	252	0	0	1,13,878	7 8
			Total					65,21,718	8 5

The accounts have been examined and according to the best of my information and in consideration of the explanation given as a result of test audit of the accounts, they are correct.

(Sd.) KHAZAN CHAND,  
Assistant Examiner, O.A.D.  
A.G.F.R. & S.

(Sd.) N.S. SREEKANTIAH,  
Secretary.  
Indian Central Oilseeds Committee.

[No. F. 5-61/54-Com. I.]  
R. L. MEHTA, Dy. Secy.

**MINISTRY OF REHABILITATION**

*New Delhi, the 4th January 1955*

**S.R.O. 158.**—In exercise of the powers conferred by section 56 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby directs that the following further amendment shall be made in the Administration of Evacuee Property (Central) Rules, 1950, namely:—

In the said Rules, after rule 15A the following rule shall be inserted, namely:—

*“15AA. Certain applications for grant of a certificate under section 16 may be entertained although made beyond time.—An application for restoration of an evacuee property made under sub-section (1) of section 16 before the commencement of the Administration of Evacuee Property (Amendment) Act, 1954 (42 of 1954), which is pending on such commencement, may be entertained, notwithstanding that the period of limitation specified in rule 15A for making such an application had expired.”*

[No. 16(1)/54-Prop.I.]

P. G. ZACHARIAH, Dy. Sec.—

*New Delhi, the 4th January 1955*

**S.R.O. 159.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties in the State of Ajmer for the public purpose, being a purpose mentioned in sub-section (1) of section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954);

Now, therefore, in exercise of the powers conferred by the said sub-section, it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule hereto annexed.

THE SCHEDULE

S. No.	Name of town in which the property is situated	Ward No. & Property No.	Description of Property	Locality	Name of Evacuee owners	Remarks
1	2	3	4	5	6	7
1	Ajmer	AMC. II/113	Residential Accommodation	Kahar Mohalla, Ajmer	Shri Junme S/o Mithoo	
2	Do.	AMC. II/164	Do.	Muslim Mochi Mohalla, Ajmer	Shri Hafiz Mohd. Ismail S/o Mohd. Yusaf.	
3	Do.	AMC. II/168	Residential-cum-Business Premises.	Do.	Shri Hafiz Mohd. Ismail S/o Mohd. Yusaf.	
4	Do.	AMC II/169	Residential Accommodation	Do.	Do.	
5	Do.	AMC II/241	Do.	Do.	Shri Abdul Karim S/o Kamal Mohd.	
6	Do.	AMC. II/263	Residential Business-cum-Industrial Premises.	Do.	Shri Abdul Aziz	
7	Do.	AMC. II/270	Residential accommodation	Do.	Shri Abdul Rehman	
8	Do.	AMC. III/102	Do.	Moti Katla, Ajmer	Shri Sheikh Imamnuddin	
9	Do.	AMC. III/103	Do.	Do.	Shri Farzand Ali.	
10	Do.	AMC. III/258	Do.	Chunpanchan Gali, Ajmer	Smt. Basheeran W/o Chhota.	
11	Do.	AMC. III/259	Do.	Do.	Shri Gheesa S/o Manna.	
12	Do.	AMC. III/267	Do.	Do.	Shri Peer Mohd. S/o Allah Noor.	
13	Do.	AMC. III/648	Do.	Imli Mohalla, Ajmer	Shri Nazeer Hussain S/o Quadar Bux.	
14	Do.	AMC. III/649	Do.	Do.	Smt. Imaman W/o Ghulam Rasool (ii) Nazir Hussain.	

1	2	3	4	5	6	7
15	Ajmer	AMC III/710	Residential Accommodation	Phool Gali, Ajmer	Shri Peer Mohd S/o Allah Noor or Mohd Yusuf	
16	Do	AMC IV/45	Do	Purani Mandi, Ajmer	Shri Munshi Gulam Ali Khan S/o Abdul Aziz	
17	Do	AMC IV/67	Do	Do	Shri Usman Khan S/o Peer Khan	
18	Do	AMC IV/174	Do	Do	Shri Altaf Ahmad	
19	Do.	AMC IV/233	Do	Do	Shri Abdul Gafoor Khan S/o Allah Noor Khan	
20	Do	AMC V/603	Residential-cum-Business Pre- mises	Panigra Chowk Ajmer	Shri Walayat Hussain	
21	Do	AMC V/626	Residential Accommodation	Sharkhan Mohalla, Ajmer	Hakim Anwar Ahmed S/o Jabbar Ali	
22	Do	AMC V/723	Do	Sodagar Mohalla, Ajmer	Shri Rehman Khar S/o Munir Khan	
23	Do	AMC V/724	Do	Do	Shri Nazamuddin S/o Jamali d- din	
24	Do	AMC V/725	Do	Do.	Shri Rehman Khan S/o Munir Khan	
25	Do.	AMC V/726	Do	Do.	Shri Abdul Ghafoor	
26	Do.	AMC V/727	Do.	Do.	Shri Abdul Aziz Khan S/o Bhurey Khan	
27	Do	AMC V/728	Do	Do	Shri Rehman Khan S/o Muneer Khan	
28	Do	AMC V/729	Do.	Do	Shri Chhotey Khan S/o Noor Khan	

29	Do. . . .	AMC. V/730	Do. . . .	Do. . . .	Shri Habib Khan S/o Meer Khan.
30	Do. . . .	AMC. V/731	Do. . . .	Do. . . .	Shri Syed Waris Ali S/o Imdad Ali.
31	Do. . . .	AMC. V/732	Do. . . .	Do. . . .	Shri Gafoor Khan S o Minur.
32	Do. . . .	AMC. V/733	Do. . . .	Do. . . .	Shri Nazeer Khan.
33	Do. . . .	AMC Plot of Rahim Bux.	Plot . . . .	Sodagar Mohalla, Ajmer	Shri Rahim Bux
34	Do. . . .	AMC. VI/13	Business Premises	Ahata Mohalla, Ajmer	Shri Qamaruddin.
35	Do. . . .	AMC. VI/129	Residential Accommodation	Mundri Mohalla, Ajmer	Shri Anwar S/o Munwar Khan.
36	Do. . . .	AMC. VI/197	Do. . . .	Do. . . .	Shri Noor Mohd.
37	Do. . . .	AMC. VI/310	Do. . . .	Do. . . .	Shri Mohd. Noor S o Ahmed Noor Khan
38	Do. . . .	AMC. VI/366	Do. . . .	Do. . . .	Shri Abdul Hakim S o Haji Karim Khan.
39	Do. . . .	AMC. VI/367	Do. . . .	Do. . . .	Do.
40	Do. . . .	AMC. VI/368	Do. . . .	Do. . . .	Do.
41	Do. . . .	AMC. VI/369	Do. . . .	Do. . . .	Do.
42	Do. . . .	AMC. VI/438	Do. . . .	Agar Mohalla, Ajmer	Shri Nanne Khan S/o Munir Khan, Habib Khan & Others.
43	Do. . . .	AMC. VI/444	Do. . . .	Do. . . .	Shri Fazyut Khan S,o Mustayat Khan.
44	Do. . . .	AMC. VI/486	Do. . . .	Do. . . .	Shri Abdul Aziz S,o Mistry Allauddian.
45	Do. . . .	AMC. VI/490	Do. . . .	Do. . . .	Shri Akbar Khan S/o Kaley Khan.
46	Do. . . .	AMC. VI/518	Do. . . .	Silawatan Mohalla, Ajmer	Shri Wali Mohd. Karim Khan.

1	2	3	4	5	6	7
47	Ajmer . .	AMC. VI/519	Residential Accommodation	Silawatan Mohalla, Ajmer	.	Shri Ahmed Hussain S/o Babu Ibrahim.
48	Do. . .	AMC. VI./519A	Do. . . .	Do. . . .	.	Shri Mohd. Usman S/o Gheesuji
49	Do. . .	AMC. VI/519B	Do. . . .	Do. . . .	.	Shri Abdul Shakoor S/o Rasul Bux.
50	Do. . .	AMC. VI/519C	Do. . . .	Do. . . .	.	Shri Allah Bux S/o Babu Madar Bux.
51	Do. . .	AMC. VI/519D	Do. . . .	Do. . . .	.	Shri Gheesaji S/o Allah Bux.
52	Do. . .	AMC. VI/520	Do. . . .	Do. . . .	.	Shri Fazul Hussain S/o Mohd. Bux.
53	Do. . .	AMC. VI/520A	Do. . . .	Do. . . .	.	Shri Ibrahim S/o Abduljee.
54	Do. . .	AMC. VII/142	Residential-cum-Business Premises.	Diggi Mohalla, Ajmer	.	Shri Noor Allam S/o Allah Neer.
55	Do. . .	AMC. VII/202	Residential Accommodation	Pangram Chowk, Ajmer	.	Shri Rahim Bux S/o Allah Bux.
56	Do. . .	AMC. VII/208	Do. . . .	Shoregran Mohalla, Ajmer	.	Shri Mohd Ismail S/o Sher Khan.
57	Do. . .	AMC. VII/222	Do. . . .	Do. . . .	.	Mst. Sakina W/o Mohd. Hussain
58	Do. . .	AMC. VII/228	Do. . . .	Do. . . .	.	Shri Mohd Noor Khan S/o Ahmed Khan
59	Do. . .	AMC. VII/239	Do. . . .	Deswali Mohalla, Ajmer	.	Shri Noor Nabi S/o Mohd. Noor Khan.
60	Do. . .	AMC. VII/242	Do. . . .	Do. . . .	.	Shri Gulzar Alam.
61	Do. . .	AMC. VII/255	Do. . . .	Do. . . .	.	Mst. Chand Bibi W/o Abdul Rashid.



62	Do. .	AMC.VII/256	Do. .	Do. .	Shri Abdul Samad S/o Abdul Aziz etc
63	Do .	AMC VII/257	Business Premises (Notified Residential Accommodation in Gazette)	Do. .	Shri Abdul Samad S/o Abdul Aziz etc.
64	Do. .	AMC VII/314	Residential Accommodation	Sheesha Khan, Ajmer .	Shri Mangal S/o Khuaz Bux.
65	Do .	AMC.VII/315	Do .	Do. .	Shri Mohd Bashiruddin S/o Mohd Imam-uddin.
66	Do. .	AMC.VII 610	Do. . . .	Mali Mohalla, Ajmer	Shri Mohd Yusaf
67	Do. .	AMC VII/675	Do. . . .	Do . . .	Shri Jumma Khan S/o Pustan Khan
68	Do. .	AMC VII/732	Residential-cum-Business Premises.	Diggi Mohalla, Ajmer .	Shri Aziz Allam, Abdul Kardar, Abdul Walud, Abdul Basir S/o Molvi Asar Aliam
69	Do. .	AMC.VII/925	Residential Accommodation	Trames Way Stn., Ajmer .	Shri B Abdul Rehman S/o A Samad
70	Do. .	AMC.VII/926	Do . . . .	Do. .	Do
71	Do .	AMC.VII/973	Business Premises . .	Diggi Mohalla, Ajmer	Shri Dulla Mian.
72	Do. .	AMC VII/976	Residential-cum-Business Premises.	Do. .	Smt Makhtar Begam Hajjan W/o Hajji Fakruddin.
73	Do. .	AMC XIV 306	Delepidated Premises . .	Link Road, Mayo College, Ajmer	Shri Naunale S o Wazir Khan.
74	Do. .	AMC XIV/307	Residential Accommodation	Do.	Shri Abdul S/o Naunel Khan
75	Do. .	AMC XIV/308	Do. .	Do. .	Shri Noor Khan S o Budha Khan.
76	Do. .	AMC.XIV/309	Do. . . .	Do. .	Shri Ameer Mohd. S o Rahim Bux.
77	Do. .	AMC.XIV/310	Do. . . .	Do. .	Shri Noor Khan S/o Budha Khan

1	2	3	4	5	6	7
78	Ajmer	AMC.XV/2411	Residential Accommodation	Link Road, Mayo College, Ajmer.	Shri Mohd Ismail S o Ali Mohd.	
79	Do.	AMC.XVI/497	Plot	Beechla Road, Ajmer	Shri Rahim Bux S o Sher Inabmad	
80	Do.	AMC.XVI/523	D. P. with plot	Do.	Shri Aliah Bux S o Manga.	
81	Do.	AMC.XVI/524	Do.	Do.	Do	
82	Do.	AMC.XVI/525	Do.	Do.	Do.	
83	Do.	AMC.XVI/526	Do.	Do.	Do	
84	Do.	AMC.XVI/533	Plot	Do.	Shri Muradan.	
85	Do.	AMC XVI/536	D. P.	Do.	Shri Subhan S o Manna.	
86	Do.	AMC XVI/638	Residential Accommodation	Do.	Shri Jammu S o Hussain Bux	
87	Do.	AMC.XVI/638A	Do.	Do.	Shri Khaju Bux S o Hussain Bux	
88	Do.	AMC.XVI/642	Do.	Do.	Shri Ali Gafoor S/o Ali Wala.	
89	Do.	AMC. Plot of O' Soma		Srinagar Road, Ajmer	Shri O' Soma.	
90	Do.	AMC. Plot of Mohd, Ishaq on Srinagar Road, Ajmer		Do.	Shri Mohd. Ishaq	
91	Beawar	A/133 K.	Residential Accommodation	Nathu-ka-Bara, Beawar	Shri Pirsha Khan.	
92	Do.	A/131 K.	Do.	Do.	Shri Bhurajee.	
93	Do.	A/627 K.	Do.	Near Rly. Grain-shops, Beawar	Shri Munshi Rehman Bux.	
94	Do.	A/631 K.	Do.	Do.	Shri Waheed Khan S/o Zafor Mohd.	
95	Do.	5/175	Do.	Leharan Mohalla, Beawar	Shrimati Nanni W o Yakub.	
96	Do.	8/43-44	Residential Plot	Panjabi Jn, Beawar	Shri Gheesa.	

		8/92	Plot	Do.	Shrimati Hussaini W/o Kalu Kassab.
98	Do.	8/551	Plot	Madar-Hussain Ki-Baghichi, Beawar.	Madar Hussain.
99	Do.	1214	Residential Accommodation	Qassaban Mohalla, Beawar	Abdul Aziz S/o Abdullah.
100	Do.	1314	Do.	Do.	Hashmullah S/o Nathullah. Noor Mohd.
101	Do.	1530	Do.	Do.	Shri Hafiz Ibrahim.
102	Do.	1576	Do.	Near Church, Beawar	Shri Ramjan S/o Shamsuddin.
103	Do.	1715	Residential-cum-Business Premises.	Loharan Mohalla, Beawar	Shri Yakub S/o Gullajee, Lohar.
104	Do.	1716	Do.	Do.	Do.
105	Do.	2359	Residential Accommodation	Sain-ka-Bera, Beawar	Shri Mohammed Yasin S/o Mohd. Ismail.
106	Do.	3678	Do.	Shahpura Mohalla, Beawar	Shri Mohd. Kasim.
107	Do.	3806	Open Plot (Notified as R. A. in Gazette).	Oden Mohalla, Beawar	Shri Ajim Mahameedji S/o Sultan Silawat.
108	Do.	3897-3980	Residential Accommodation	Jamalpura, Beawar	Shri Mohammed Jamal Qureshi.
109	Do.	3966	Do.	Do.	Shri Ali Bhai Mussalman.
110	Do.	3968	Do.	Do.	Shri Wali Mohd. Khan S/o Abdul Khan Pathan.
111	Do.	3969	Do.	Do.	Shri Soofi Mohd. Hussain Sayeed.
112	Do.	3970	Do.	Do.	Shri Allah Beli Khan S/o Mahomed Khan Pathan.
113	Do.	4004	Do.	Sendra Road, Beawar	Shri Ismail, Fitter.
114	Do.	4014	Do.	Do.	Shri Mahmeed Silawat.

1	2	3	4	5	6
115	Beawar . . .	4188	Residential Accommodation . . .	Panjabi Jin, Beawar . . .	Shri Allah Bux S/o Rahim Bux Kassab.
116	Do. . .	4190	Do. . .	Do. . .	Shri Amcer Bux Bhisti.
117	Do. . .	4219	Do. . .	Do. . .	Shri Jamal Mohd. S/o Ali Mohd.
118	Do. . .	4287	Do. . .	Chhawani, Beawar . . .	Shri Mohd. S/o Madar Bux.
119	Do. . .	4312	Do. . .	Do. . .	Shri Nathu Khan S/o Wazir Khan.
120	Do. . .	4318	Do. . .	Do. . .	Shri Khuda Bux S/o Shahadin.
121	Do. . .	4426	Do. . .	Do. . .	Shri Rahim Bux S/o Maku.
122	Do. . .	4439	Do. . .	Do. . .	Moula Bux S/o Sheikh Mohd. Ismail.
123	Do. . .	4440	Do. . .	Do. . .	Shri Khair Mohd. S/o Mohd. Uman.
124	Do. . .	4442	Do. . .	Do. . .	Shri Bellu Khan S/o Lashkari Khan.
125	Do. . .	4443	Do. . .	Do. . .	Shri Abdul Karim S/o Ismail Khan.
126	Do. . .	4454	Do. . .	Do. . .	Shri Mahmood Musalman.
127	Do. . .	4457	Do. . .	Do. . .	Shri Chhota Musalman Kassab.
128	Do. . .	4471	Do. . .	Do. . .	Shri Khuda Bux Mauselman.
129	Do. . .	4518	Do. . .	Do. . .	Shri Belu Khan.
130	Do. . .	4550	Do. . .	Do. . .	Shri Neer Mohd. S/o Mohd.
131	Do. . .	4686	Do. . .	Mewari Gate, Beawar . . .	Shri Abdul Samad Mistry.

132	Nasirabad	. 18	Residential-cum-Business pre- mises.	Main Street, Nasirabad .	Shri Sher Mohd. Mohd. Saddique S/o Noor Mohd.
133	Do.	. 271	Do.	Do.	Mst. Nasiban W/o Panna.
134	Do.	. 275	Do.	Do.	Shri Allahdin Kaloo.
135	Do.	. 310	Residential Accommodation	Khatawli Mohalla, Nasirabad .	Shri Itwari S/o Khaju.
136	Do.	. 350	Do.	Do.	Shri Allahdin S/o Khuba.
137	Do.	. 381	Residential-cum-business Pre- mises.	Dari Mohalla, Nasirabad .	Shri Amur Ali S/o Allaha Noor.
138	Do.	. 646	Residential accommodation	Ram Dayal Mohalla, Nasirabad	Shri Abdul Wahab.
139	Do.	. 647	Do.	Do.	Do.
140	Do.	. 648	Do.	Do.	Do.
141	Do.	. 660	Do.	Sabzi Mandi, Nasirabad .	Shri Abdul Wahab S/o Gafoor Khan.
142	Do.	. 662	Do.	Do.	Shri Abdul Karim S/o Gafoor Khan.
143	Do.	. 663	Do.	Do.	Shri Abdul Wahab S/o Gafoor Khan.
144	Do.	. 719-719-A	Do.	Do.	Shri K. B. Abdul Ghafoor.
145	Do.	. 719-B	Business Premises (Notified as R. A. in Gazette).	Do.	Shri K. B. Abdul Ghafoor.
146	Do.	. 719-C	Residential Accommodation	Do.	Shri K. B. Abdul Ghafoor.
147	Do.	. 811	Do.	Dhobi Mohalla, Nasirabad	Shri Faquiruddeen S/o Shamshuddin etc.
148	Do.	. 813	Do.	Do.	Mst. Dujan W/o Nanna Khan.
149	Do.	. 824	Do.	Do.	Shri Azam Sher Khan and Noor Khan.

1	2	3	4	5	6	7
150	Nasirabad	836	Residential Accommodation	Raj Narain Road, Nasirabad	Shri Ahmed Bux Abdullah.	
151	Do.	838	Plot (but notified as R. A in Gazette).	Do.	Shri Mohd. Shafi S/o Mohd. Bux.	
152	Do.	889	Residential Accommodation	Do.	Shri Jumman S/o Ibrahim.	
153	Do.	893-A	Do.	Do.	Shri Mohd. Yasin S/o Noor Mohd.	
154	Do.	898-898A	Do.	Do.	Shri Wali Mohd. & Nissar Mohd. S/o Ahmed etc.	
155	Do.	904	Dilapidated Premises	Do.	Shri Jamaldeen S/o Jamal Bux.	
156	Do.	992-A	Business Premises	Dudia Mohalla, Nasirabad	Mst. Jinat.	
157	Do.	1015	Residential Accommodation	Do.	Shri Jumman S/o Ahmed.	
158	Do.	1056	Residential Accommodation (Dilapidated Premises).	Do.	Shri Gafoor S/o Aliha Noor.	
159	Do.	1057	Residential Accommodation	Do.	Do.	
160	Do.	1072-1072A	Do.	Do.	Mst. Halima.	
161	Do.	1467	Do.	Phoola Ganj Mohalla, Nasirabad	Shri Ali Wahab S/o Ali Haq.	
162	Do.	1530—34	Do.	Do.	Shri Alt Hakim S/o Jumma Bux.	
163	Do.	1520	Do.	Hawa Chakki Mohalla, Nasirabad	Ghulam Mohd. S/o Mohd Bux.	
164	Do.	1547	Do.	Do.	Shri Mohd. Bux S/o Allah Bux.	
165	Do.	1613	Do.	Mahtapura, Nasirabad	Shri Sulman S/o Kallu.	
166	Do.	1617	Do.	Do.	Shri Gheesa S/o Kaloo.	
167	Do.	1622—23	Do.	Do.	Shri Suleman S/o Kallu.	

168	Do. . .	1632	Do. . .	Hana Chakkı Mohalla, Nasirabad	Shri Habibullah S/o Rahim Bux.
169	Do. . .	1714	Do. . .	Do. . .	Shri Abdul S/o Sikandar.
170	Do. . .	1898	Dilapidated Premises	Kolli Mohalla, Nasirabad.	Shri Noor Mohd. Abbas, Nathan S/o Abdullah.
171	Do. . .	2305	Residential Accommodation	Badı Mandı, Nasirabad .	Khawaj Bux S/o Bhikka.
172	Do. . .	2308-A	Do. . .	Do. . .	Shri Abdul Shakur S/o Karim Bux.
173	Do. . .	2309	Residential-cum-Business Premises.	Do. . .	Shri Abdul Gani S/o Chhota.
174	Do. . .	2332	Do. . .	Phoola Ganj, Nasirabad .	Shri Mohd. Shafi S/o Noora.
175	Do. . .	2333	Residential Accommodation	Phoola Ganj, Nasirabad .	Shri Mohd. Shafi S/o Chhota.
176	Do. . .	2343	Do. . .	Phoola Ganj, Nasirabad	Shri Rahimbux Baddan.
177	Do. . .	2363	Do. . .	Badı Mandı, Nasirabad .	Shri Chhota S/o Abdullah.
178	Do. . .	2381	Dilapidated Premises	Badı Mandı, Nasirabad	Shri Jamalludin S/o Iddu.
179	Do. . .	2393	Residential Accommodation	Badı Mandı, Nasirabad	Shri Ibrahim S/o Ghulam Mohd.
180	Do. . .	2409	Do. . .	Badı Mandı, Nasirabad	Shri Shakoor S/o Abdullah.
181	Do. . .	2409A	Do. . .	Badı Mandı, Nasirabad	Shri Azimullah S/o. Wafati.
182	Do. . .	2409B	Do. . .	Badı Mandı, Nasirabad	Shri Shubratı S/o Karim.
183	Do. . .	2611	Plot	Pop Singh Mohalla, Nasirabad	Shri Faquira S/o Hussain.
184	Do. . .	2612	Residential Accommodation	Pop Singh Mohalla, Nasirabad	Shri Man Khan S/o Jorawar Khan.
185	Do. . .	2620	Business Premises	Pop Mohalla Nasirabad	Shri Noor Mohd. S/o Jumma.
186	Do. . .	2622	Do. . .	Pop Mohalla, Nasirabad	Shri Faquira S/o Hussain.

2	3	4	5	6	7
187	Nasirabad . . . 2769	Residential Accommodation	Pop Singh Mohalla, Nasirabad	Shri Kallan Khan s/o Wazir Khan.	
188	Do. . . . 2799	Do.	Kumar Mohalla, Nasirabad	Shri Ghafoor s/o Moodi	
18	Do. . . . 2799A	Do.	Kumar Mohalla Nasirabad	Shri Ab. Gani s/o Dhooni	
190	Do. . . . 2801	Do.	Kumar Mohalla Nasirabad	Shri Mohd. Umar s/o Khaju	
191	Do. . . . 2802	Do.	Kumar Mohalla, Nasirabad	Shri Mohd. Umar s/o Khaju	
192	Kekri . . . . 158	Do.	Junia Gate, Kekri	Shri Ghulam Hussain s/o Ghani	
193	Do. . . . . 305	Do.	Banjara Mohalla, Kekri	Shri Jamal Gulam Hussain Ban- jara.	
194	Do. . . . . 326	Do.	Banjara, Gali, Kekri	Shri Godali Banjara.	
195	Do. . . . . 533—34	Residential accommodation cum-Business Premises.	Kassai Mohalla, Kekri	Shri Qutabuddin Idu Khan	
196	Do. . . . . 537	Residential accommodation	Kassai Mohalla, Kekri	Shri Gafoor Kassai.	
197	Do. . . . . 538	Do.	Kassai Mohalla, Kekri	Shri Nasir Kassai	
198	Do. . . . . 554	Do.	Kassai Mohalla, Kekri	Shri Shamshuddin.	
199	Do. . . . . 601	Do.	Teli Mohalla, Kekri	Shri Abdul Aziz s/o Suleman	
200	Do. . . . . 605	Do.	Teli Mohalla, Kekri	Shri Shamshuddin s/o Sultan	
201	Do. . . . . 606	Do.	Teli Mohalla, Kekri	Shri Abdul Aziz s/o Suleman.	
202	Do. . . . . 677	Do.	Teli Mohalla, Kekri	Shri Shamshuddin.	
203	Do. . . . . 1096	Residential-cum-Business Premises.	Main-Bazar, Kekri	Shri Nathoo.	
204	Do. . . . . 1198	Residential Accommodation	Purani Kekri, Kekri	Mst. Hafizan w/o Khuda Bux.	
205	Do. . . . . 1224-50	Do.	Manak Chowk, Kekri	Shri Azizuddin.	
206	Do. . . . . 1361	Do.	Purani Kekri, Kekri	Shri Iduq Hajir Bux.	



207	Do.	1367	Do.	Purani Kekri, Kekri	Shri Mohd. Yakub.
208	Do.	1367-A	Do.	Purani Kekri, Kekri	Shri Mohd. Yakub.
209	Do.	1369	Do.	Purani Kekri, Kekri	Shri Shammshuddin.
210	Do.	1369 A	Do.	Purani Kekri, Kekri	Shri Mohd. Yakub.
211	Do.	1373	Do.	Purani Kekri, Kekri	Shri Mustafa.
212	Do.	1874	Do.	Purani Kekri, Kekri	Shri Azizuddin.
213	Do.	2157	Do.	Purani Kekri, Kekri	Shri Mohd. Shafi s/o. Allah Noor.
214	Do.	2174	Do.	Purani Kekri, Kekri	Shri Abdul Aziz.
215	Do.	Plot of Shababuddin	Do.	Outside Ajmeri Gate, Kekri	Shri Shabbuddin.
216	Do.	Plot of Abdul Rehman	Do.	Purani Kekri, Kekri	Shri Abdul Rehman.
217	Deoli	27	Do.	Agency Deoli, Deoli	Mohd. Ishaq, s/o Akbar Khan.
218	Do.	32	Do.	Bundi Agency, Deoli	Shri Bundu.
219	Do.	100	Do.	Zehara Agency, Deoli	Mst. Zohara w/o Jaffar Ali
220	Do.	145	Do.	Mahajan Mohalla, Deoli	Shri Nasir Khan s/o Mir Khan.
221	Do.	159	Do.	Munir Agency, Deoli	Shri Munir s/o Roshan.
222	Do.	742	Do.	Mahajan Mohalla, Deoli	Shri Abdul Shakoor.

[No. 10 (10)-S.B./54].

*New Delhi, the 15th January 1955*

**S.R.O. 160.**—In exercise of the powers conferred by sub-section (2) of section 16 of the Displaced Persons (Compensation and Rehabilitation Act, 1954 (44 of 1954), the Central Government hereby appoints Shri K. S. Kane, Assistant Settlement Commissioner as Managing Officer for the Custody, management and disposal of that portion of the compensation pool which consists of Government built houses in Delhi.

[No. 43(15)SBI/54]

M. L. PURI, Under Secy.

*New Delhi, the 8th January 1955*

**S.R.O. 161.**—In exercise of the powers conferred by section 23 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby directs that the following further amendments shall be made in the Evacuee Interest (Separation) Rules, 1951, namely:—

In rule IID of the said Rules, in clause (1) of sub-rule (9)—

- (a) for the figure "25 per cent." the figure "10 per cent." shall be substituted.
- (b) after the word 'Sale' the words 'either in cash or by cheque' shall be inserted.

[No. 52(135)/54-Prop.I.]

L. B. MATHUR, Under Secy.

## MINISTRY OF COMMUNICATIONS

*New Delhi, the 15th January 1955*

**S.R.O. 162.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), and in supersession of rules 13 to 23 (both inclusive) of and the first and second schedules to, the Indian Wireless Telegraph Rules, 1949, the Central Government hereby makes the following rules, namely:—

**1. Short title and commencement.**—(1) These rules may be called the Indian Wireless Telegraph (Commercial Radio Operators Certificates of Proficiency and Licence to operate Wireless Telegraphy) Rules, 1954

(2) They shall come into force on the 1st day of April 1956.

**2. Definitions.**—In these rules, unless the context otherwise requires,—

- (i) 'Convention' means the International Telecommunication Convention, Buenos Aires, 1952, for the time being in force including the Telegraph Regulations, the Telephone Regulations, the Radio Regulations and the Additional Radio Regulations, made thereunder but does not include any portion of the said Convention or the said Regulations in respect of which the Central Government may, from time to time, make any reservations;
- (ii) 'wireless telegraphy' or 'radio telegraphy' includes wireless or radio telegraphy or telephony or both, as the context in each case may require.

**3. Categories of certificates and licences.**—On the result of an examination which may, from time to time, be held by it or by an officer empowered by it in this behalf, the Central Government may grant the following categories of certificates of proficiency in wireless telegraphy and licences to operate it, namely:—

*Category I—Radio Telegraph Operator Certificates and Licences.*

- (i) First Class Radio Telegraph Operator's Certificate and Licence;
- (ii) Second Class Radio Telegraph Operator's Certificate and Licence;
- (iii) Special Class Radio Telegraph Operator's Certificate and Licence.

*Category II—Radio Telephone Operator's Certificates and Licences:*

- (iv) Radio Telephone Operator (General) Certificate and Licence;
- (v) Radio Telephone Operator (Restricted) Certificate and Licence.

**4. Dual holding of licences.**—Except as otherwise provided by the Central Government, no person may hold more than one Radio-telegraph Operator licence and one Radio-telephone Operator licence at the same time.

**5. Eligibility for admission to examination.**—No person shall be eligible for admission to an examination held under these rules for the grant of a certificate of proficiency in radio telegraphy or radio telephony—

- (a) unless such person is,
  - (i) a citizen of India, and
  - (ii) above the age of eighteen years, in case he is a candidate for a first class radio telegraph operator's certificate;
- (b) if his Commercial Radio Operator's licence granted under any rules in force immediately before the commencement of these rules has been suspended or he is involved in any proceeding connected with the cancellation of any such licence or any other alleged violation of terms of the Convention or any provision of these rules:

Provided that where the Central Government is satisfied, after such inquiry as it thinks fit, that it is expedient so to do in the public interest, it may, by general or special order, direct that the provision of sub-clause (i) of clause (a) of this rule shall not apply in the case of any person or class of persons, specified in the order.

**6. Applications.**—An application for permission to appear at an examination for the grant of a Certificate of Proficiency shall be made to the Central Government or any officer empowered by it in this behalf, in the form as at Annexure I to these rules, together with all the subsidiary forms and documents duly filled in and completed in all respects.

**7. Fees for examination.**—A candidate for admission to an examination for the grant of a certificate of proficiency shall pay such fee as the Central Government may from time to time direct:

Provided that where the Central Government is satisfied, after such inquiry as it thinks fit, that it is expedient so to do in the public interest, it may, by general or special order, exempt from the operation of this rule any candidate or class of candidates specified in the order.

**8. Examination.**—The examination for the award of a certificate of proficiency shall be held in accordance with the terms of the Convention and as detailed in Annexure II to these rules and the Central Government shall from time to time notify the place at which and the date on which such examination shall be held and publish the detailed syllabus in respect of the examination held for the grant of different classes of certificates.

**9. Secrecy of correspondence.**—Every holder of a certificate of proficiency shall be bound by the declaration made by him in his application for admission to the examination that he shall observe secrecy of correspondence.

**10. Validity of licences.**—A "licence to operate" endorsed in the certificate of proficiency shall be valid for a period of five years from the date of issue:

Provided that on the expiry of the initial period of the validity of such licence, it may be renewed for a period of three years at a time if the holder applies for it, and—

- (i) pays such fees as the Central Government from time to time direct;
- (ii) has a total experience of not less than 3 months within 3 years prior to the date of application; or

- (iii) satisfies the Central Government by re-examination or otherwise that he still possesses all of the qualifications specified in his certificate.

**Explanation.**—For the purposes of this rule, the expression 'experience' means the experience gained at a mobile station in the Maritime or Aeronautical Mobile Service as adequate for a Radio Officer or Wireless Operator or experience gained as an operator of Radio-telegraph apparatus at a Radio-telegraph station maintained on land for communication with mobile stations, in the Maritime or Aeronautical Service, as being appropriate to the licence, which is sought to be renewed.

**11. Issue of duplicate or replacement certificates and licences.**—(1) An operator whose certificate or licence has been lost, mutilated or destroyed shall immediately notify the same to the Central Government. A properly executed application for duplicate shall be made to the Central Government embodying a statement of the circumstances involved in the loss, mutilation or destruction of the certificate or licence for which a duplicate is required. If the certificate or licence has been lost, the applicant must state that reasonable search has been made for it, and further, that in the event it be found, either the original or the duplicate shall be returned for cancellation.

(2) The Central Government may issue duplicate copies of any certificate or licence and prescribe any fee therefor.

(3) The holder of a certificate or licence, whose name is legally changed may make application for replacement document in the new name by submitting a properly executed application accompanied by documentary evidence of the legality of the name change.

**12. Discipline of Operators.**—(1) If the holder of a certificate or licence is proved in the opinion of the Central Government wilfully or negligently to have failed to comply with the provisions of the Convention, or of these rules or of any regulations lawfully applicable to him in respect of wireless telegraphy or of wireless apparatus or the lawful orders of the master or person lawfully in charge of the station in which he is employed, the Central Government may endorse, suspend, or cancel the licence.

(2) The Central Government may at any time require the holder of a certificate of proficiency to produce the same and the holder shall comply with such requisition.

(3) The Central Government may at any time require the holder of a certificate of proficiency or licence to be re-examined in order to test his knowledge and ability and may, as a result of such examination, endorse, suspend or cancel the licence. No fee shall be chargeable for such examination.

**13. Saving of certificates issued under the earlier rules and in force at the date of commencement of these rules.**—Nothing in these rules shall be deemed to affect the operation of any Certificate of Competency in wireless telegraphy or any licence to operate it, which has been granted or issued by any competent authority under the Indian Wireless Telegraph Rules, 1929 or the Indian Wireless Telegraph Rules, 1933 or the Indian Wireless Telegraph Rules, 1949, as the case may be, and was in force immediately before the commencement of these rules, and notwithstanding anything contained in these rules, every such certificate or licence shall, unless renewed for a further period under these rules, be valid for a period of six months after such commencement and shall be subject to the provisions of these rules in respect of all other matters.

**14. Recognition of certificates issued by other countries.**—The Central Government may recognise, subject to any conditions it may prescribe from time to time, certificates of proficiency in radio telegraphy issued by a competent authority in any other country as a certificate of proficiency of the same class issued by it.

**15. Power to delegate.**—The Central Government may, by order notified in the official Gazette, direct that any power exercisable by it under these rules may also be exercised in such cases and subject to such conditions, if any, as may be specified in the order by such officer or authority as may be specified therein.

## ANNEXURE—I

## FORM OF APPLICATION

(See rule 6)

Form of application for admission to Examination for a certificate of Proficiency in radio  
Telegraph/radio-telephony (See rule 7)

	Name	Surname
1. Full name of applicant (in Block letters,		
2. Description of applicant		
(a) Height.	(a) ..... feet ..... inches	
(b) Colour of eyes	(b)	
(c) Colour of hair	(c)	
(d) Complexion	(d)	
(e) Mark of identification.	(e)	
3. Postal Address in full.		
4. Date of birth.		
5. Place of birth.		
6. Are you a citizen of India by birth and/or by domicile ?		
7. Name of the State to which you belong.		
8. Father's Name and Address. * *If dead, state last address.		
9. Address to which order for examination should be sent.		
10. Address to which the Certificate of Proficiency should be forwarded in case the candidate is successful in the examination.		
11. Name and address of institution, if any, in which the candidate was trained.		

12. Particulars of Certificates of Competency, if any, already held by the applicant.

Class/Category of Certificate	Date of issue	By whom issued
13. The service for which the certificate is required, where applicable.		MARITIME/AERONUTICAL

14. Particulars of examinations (if any) taken for Certificates of Competency :—

Place at which examined	Date and year of examination	Class/Category of Certificate	Result
1.			
2.			
3.			

15. State the name of the Treasury or Bank from which you submit treasury receipt and the number and date of the treasury receipt.

Name of the Treasury/Bank	Number of Treasury Receipt	Date	Value

16. No. of copies of photographs attached

17. References attached from :

1. Name  
Occupation or Position  
Address
2. Name  
Occupation or position  
Address.

I hereby certify that the above particulars are correct and apply for admission to an examination for.....Certificate of Proficiency in radio-telegraphy/radio telephony.]

\*I declare that I am a citizen of India  
by birth/naturalisation in .....

.....domiciled in India.

Date.....Signature .....

*Declaration of Secrecy in the operation of Wireless Apparatus*

I.....do solemnly and sincerely declare that I will not improperly divulge to any person the purport of any message which I may transmit or receive by means of any wireless apparatus operated by me or which may come to my knowledge in connection with the operation of the said apparatus.

Witness.....

Signature of Declarant

Date.....

Date.....

Address.....

I enclose the following documents with this application :

- (i)
- (ii)
- (iii)
- (iv)

Signature of Applicant.....

Date.....

## ANNEXURE II

*General information regarding the examinations for the award of Certificates of Proficiency in Radio Telegraphy and Radio Telephony, with effect from 1st April, 1956.*

## PART 'A'—GENERAL

1. *General.*—(i) The examinations for the award of Certificates of Proficiency in Radio Telegraphy and Radio Telephony are intended for persons who contemplate employment and careers as radio officers in the Mercantile Marine or in Civil Aviation.

(ii) The Central Government is not directly responsible for the training of the candidates appearing for these examinations. There are a number of wireless schools and institutions mostly owned and run by private individuals which offer to train candidates for these examinations. The Central Government does not exercise any supervision over the tuition at these schools or institutions. They may in certain cases declare the suitability of the type of apparatus used in the schools for training for these examinations and beyond this they have no responsibility for the running of these schools or institutions.

(iii) The Central Government is also not responsible for either the employment of or for securing employment for the candidates who obtain these certificates of proficiency in radio-telegraphy and radio-telephony.

(iv) There is no minimum educational qualification to be satisfied for appearing at these examinations but some schools insist on certain minimum. It should, however, be emphasised that the syllabus for these examinations is such as would require a sound educational qualification at least up to the matriculation standard with mathematics and physics as subjects, for a candidate to efficiently study them. Particular attention of intending candidates is, therefore, drawn to the necessity for a good general education as a pre-requisite for attempting these examinations.

(v) Intending candidates for these examinations are advised to read carefully the provisions of the Indian Wireless Telegraphy (Commercial Radio Operators—Certificates of Proficiency in Radio Telegraph and Radio Telephony and licence to operate) Rules, 1954.

2. The following 6 classes of examinations are held:—

## 1. Radio Telegraphy—

- 1. First Class Operator's Certificate.
- 2. Second Class Operator's Certificate.
- 3. Special Class Operator's Certificate.

## II. Radio Telephony—

1. Radio Telephone Operator (General).
2. Radio Telephone Operator (Restricted).

## III. Special examination for conversion of Second Class Certificates into First Class.

### 3. Qualifications.—

3.1. *First Class Certificate.*—(a) Sending and receiving correctly by ear (1) plain language at a speed of 25 words per minute and (2) mixed code groups at a speed 20 groups per minute. Sending and receiving correctly messages by telephone;

(b) Detailed knowledge of the Regulations applying to radio-communications, of the documents relating to the charges for radio-communications and of the provisions of the convention for the Safety of Life at Sea which relate to radio;

(c) Knowledge of the general geography of the world especially the principal maritime and air navigation routes and the most important tele-communication routes;

(d) Knowledge of the general principles of electricity, of the theory of radio and of the adjustment and practical working of various types of radio-telegraph and radio-telephone apparatus used in mobile service, including apparatus used for radio direction-finding and the taking of direction-finding bearings. General knowledge of the principles of operation of other apparatus generally used in radio-navigation;

(e) Theoretical and practical knowledge of the operation and maintenance of apparatus such as motor generators, storage batteries etc., used in the operation and adjustment of the radio-telegraph, radio-telephone and radio direction-finding apparatus mentioned in (d) above. Practical knowledge necessary to repair with the means ordinarily available on board, damage which may occur to the radio-telegraph, radio-telephone and radio direction-finding apparatus during a voyage;

(f) Satisfactory knowledge of the English language; and

(g) Knowledge of the special provisions governing the aeronautical, fixed, mobile and radio-navigation service (for aeronautical mobile service only.)

3.2. *Second Class Certificate.*—(a) Sending and receiving correctly by ear—

(i) plain language at a speed of 20 words per minute; and

(ii) mixed at a speed of 16 groups per minute; sending and receiving messages correctly by telephone.

(b) Knowledge of the Regulations applying to radio communications, of the documents relating to charges for radio-communications and of the provisions of the Convention for the Safety of Life at Sea which relate to radio;

(c) Knowledge of the general geography especially the principal maritime and air-navigation routes and the most important tele-communication routes;

(d) Elementary theoretical and practical knowledge of electricity and of radio, knowledge of the adjustment and practical working of the various types of radio-telegraph and radio-telephone apparatus used in the mobile service, including apparatus used for radio direction-finding and the taking of direction finding bearings as well as elementary knowledge of the principles of operation of the other apparatus in general used for radio-navigation;

(e) Elementary theoretical and practical knowledge of the operation and maintenance of apparatus, such as motor generators, storage batteries, etc., used in the operation and adjustment of the radio-telegraph, radio-telephone and radio direction-finding mentioned in (d) above. Practical knowledge sufficient for effecting repairs in the case of minor damage which may occur to the radio-telegraph, radio-telephone and radio direction-finding apparatus during a voyage, with the means ordinarily available on board; and

(f) Satisfactory knowledge of the English language.

3.3 *Special Class Certificate.*—(a) Sending and receiving correctly by ear—

(i) plain language at a speed of 20 words per minute; and

(ii) mixed code groups at a speed of 16 groups per minute;

(b) Sending and receiving correctly messages by telephone;

(c) Practical knowledge of the operation of radio-telegraph and radio-telephone apparatus;



(d) General knowledge of the Regulations and procedure applying to radio-telegraph and radio-telephone communications and specifically of that part of those Regulations which relates to the Safety of Life; and

(e) Satisfactory knowledge of the English language.

3.4. *Radio-telephone Operator's Certificate (General).*—(a) Sending and receiving correctly messages by telephone;

(b) Knowledge of the elementary principles of radio-telephony;

(c) Detailed knowledge of the practical operation and adjustment of radio-telephone apparatus;

(d) Detailed knowledge of the Regulations and procedure applying to radio-telephone communications and specifically of that part of those regulations which relates to the Safety of Life;

(e) Satisfactory knowledge of the English language; and

(f) Knowledge of the special provisions governing the aeronautical, fixed, mobile and radio-navigation services (for aeronautical service only).

3.5 *Radio-telephone Operator's Certificate (Restricted).*—(a) Sending and receiving correctly messages by telephone;

(b) Practical knowledge of the Regulations and procedure applying to radio-telephone communications specifically of that part of those regulations which relates to the Safety of Life;

(c) Satisfactory knowledge of the English language; and

(d) Knowledge of the special provisions governing aeronautical, fixed, mobile and radio-navigation services (for aeronautical service only).

4. *Scope of authority to operate.*—The holders of the various types of Certificates of Proficiency may, subject to their satisfying other conditions laid down by Government operate mobile stations as shown below:

(i) First Class Radio Telegraph Operator's Certificate.—The service of any ship or aircraft radio station.

(ii) Second Class Radio Telegraph Operator's Certificate.—The service of any ship station.

NOTE.—Difference between the First and Second Class Certificate in the Maritime Mobile Service is in the authority to become the Chief Radio Officers of certain categories of ship stations.

(iii) Special Class Radio Telegraph Operator's Certificate.—Service of ships for which a radio telegraph installation is not compulsory; as well as the radio telephone service of ship stations for which only the restricted radio telephone operator's certificate is required.

(iv) Radio Telephone Operator's Certificate (General).—Service of any ship or aircraft station when the installation is used solely for telephony provided the power in the antenna of the unmodulated carrier does not exceed 100 watts; or the power in the antenna of the unmodulated carrier does not exceed 500 watts in cases where the operation of the transmitter requires only the use of simple external switching devices excluding all manual adjustments of frequency determining elements and the stability of the frequencies of which is maintained by the transmitter itself within the limits of tolerance specified in the Radio Regulations.

(v) Radio Telephone Operator's Certificate (Restricted).—The service of any ship or aircraft when the installation is used solely for telephony provided that the power in the antenna of the unmodulated carrier does not exceed 50 watts; or the power in the antenna of the unmodulated carrier does not exceed 250 watts in cases where the operation of the transmitter requires only the use of simple external switching devices excluding all manual adjustments of frequency determining elements and the stability of the frequencies of which is maintained by the transmitter itself within the limits of tolerance specified in the Radio Regulations.

5. *Credentials of Candidates.*—A candidate before being permitted to take any examination is required to furnish the following:—

(i) Evidence of date of birth (in the case of candidates for the First Class certificate only); and

- (ii) Letters from two persons resident in India but not related to the candidate testifying to his character and nationality and to whom references can be made.

6. *Fees*.—(i) A candidate wishing to take an examination should pay the fees appropriate to the examination concerned, as notified by the Government of India from time to time.

(ii) The required examination fee should be deposited in a Government Treasury or in a branch of the Imperial Bank of India under the Account head "XLVI-Misc. Receipts of Wireless Planning and Co-ordination Organisation-examination fees". (Amounts deposited at Bombay, Calcutta, Delhi and Madras should be deposited in the Reserve Bank of India in place of Imperial Bank of India).

(iii) Fees paid for one examination will not be adjusted towards any other examination and will not be refunded except in very exceptional circumstances.

(iv) Candidates appearing for more than one examination should pay separate fees for each of the examinations concerned

7. *Applications*.—(i) A candidate wishing to take an examination should submit his application to the Wireless Adviser to Government, Ministry of Communications, New Delhi, in the prescribed form. He should also enclose—

- (1) documents mentioned in para. 5;
- (2) treasury receipt mentioned in para 6;
- (3) two unmounted passport size copies of the photographs signed and dated on the front;
- (4) specimen signatures in the form; and
- (5) in the case of candidates for the special conversion examination, evidence of their past experience.

No application would be considered if it does not contain any of the documents listed above or has been received after the prescribed date.

(ii) A candidate appearing for more than one examination should submit separate applications for each of the examinations.

8. *Admission Card, etc.*—Every candidate who has been admitted for an examination would be furnished with a card of admission to the examination which will specify the date, time and place of the examination.

9. *Examinations*.—The examination consists of the following Sections:

*Section 1.—Written papers—*

- (i) *Technical Theory*.—(For the First Class Certificate, this Section consists of two papers, for the Second Class one paper and none for the other Classes)
- (ii) *Regulations and Procedure*.—(One paper for First and Second Class Certificates and none for the other Classes).

*Section 2.—Morse: Sending and Receiving.*

*Section 3.—Practical.—*

- (i) Commercial working (W/T and/or R/T);
- (ii) Practical examination on apparatus.

The differences in each of the Sections for the various classes of the examination is explained in the syllabus.

10. *Syllabus*.—The detailed syllabus for each Section of the examination and for each class of certificate is given in detail in Part 'B'. The details of how the examinations are conducted are also explained therein.

11. *General Procedure at Examinations*.—The general procedure at examinations would normally be as follows:—

The written paper sections are first completed.

On the following days, the examination proceeds with the other sections of the examination.

The results of the examinations are usually notified within a fortnight after the completion of the examination or as soon as possible after the same.

12. *Exemptions in Subjects.*—The examination would be considered in two parts, namely—

Part I.—Section 1 of Para 9; and

Part II.—Sections 2 and 3 of Para 9.

Credit for passing any one of the Parts can be carried to a subsequent examination for a specified period. In the case of Part I, the period is one year and for Part II, six months. Thus,

- (i) a candidate may, at his option, take either the full examination or one of the Part I & II at a time.
- (ii) if he passes the morse and practical tests (Part II) only, he may pass the written tests within six months and complete the entire examination; and
- (iii) if he passes the written tests (Part I) only, he may pass the Morse and Practical tests within one year and complete the entire examination.

The fee payable for each part examination taken as above would be notified by Government of India from time to time.

13. *Choice of service for First Class Certificate.*—A candidate appearing for the First Class Certificate may choose either the Maritime or Aeronautical Mobile Service in which he wants to become a radio operator. His examination would be confined to the appropriate parts as given in the syllabus. His certificate would be endorsed for either the Maritime or the Aeronautical Service as appropriate.

A candidate may, at his option be examined for both the services, on payment of the appropriate fees. Alternatively, he may first qualify for any one service and subsequently for the other. In that case, he would be required to pass only those parts of the examination special to the second service. He would be required to pay the examination fees leviable for a part examination.

#### 14. *Conversion of Second Class Certificate into First Class.*—

14.1. A holder of the Second Class Radio Telegraph Operator's Certificate may appear for Part II only of the examination and obtain a First Class Radio Telegraph Operator's Certificate provided—

he has 12 months total experience within 3 years immediately preceding the date of application for such examination.

Experience for this purpose means experience at a mobile station in the Maritime or Aeronautical Mobile Service, as a radio officer or wireless operator or experience as an operator of the radio telegraph apparatus at a radio telegraph station maintained on land for communication with Mobile Stations in the Maritime or Aeronautical Mobile Service

14.2. Candidates for this examination must furnish satisfactory evidence of their experience as defined in Para 14.1.

14.3. Fees as for the First Class Certificate examination should be paid.

15. *Results of the examination*—The marks obtained by each candidate in the subjects at which he has appeared at the examination would be forwarded to him as soon as possible after the publication of the results of the examination.

No requests for revaluation of any paper would be entertained.

#### PART 'B'—FORM OF EXAMINATION AND SYLLABUS.

##### 1. *Classes of Certificates.*—

1.1. The following classes of Certificates of Proficiency in Radiotelegraphy and Radiotelephony are awarded on the results of these examinations:—

##### (a) *Radiotelegraphy*—

- (i) First Class Radio Telegraph Operator's Certificate
- (ii) Second Class Radio Telegraph Operator's Certificate.
- (iii) Special Class Radio Telegraph Operator's Certificate.

##### (b) *Radiotelephony*—

- (iv) Radio Telephone Operator's (General) Certificate
- (v) Radio Telephone Operator's (Restricted) Certificate.

## 2. Examinations.—

2.1. The examinations will be conducted in English and in accordance with the International Telecommunication Convention.

## 3. First and Second Class Radio Telegraph Operator's Certificate.—

3.1. The examination consists of the following Sections:

### Section I.—Written Papers.

- (i) Technical Theory; viz., Magnetism, Electricity, Radio Theory and Standard Radio installations; and
- (ii) Regulations and traffic procedure.

### Section II.—Morse.

- (i) Receiving, plain language and code; and
- (ii) Sending, plain language and code.

### Section III.—Practical.

- (i) Commercial working; and
- (ii) Practical test on standard Radio apparatus and ancillary equipment commonly used in the Maritime and/or Aeronautical Mobile Service.

## 3.2. Form and details of the examination.—

### 3.2.1. Section I.—Written Papers.

#### (i) Technical Theory:

(a) First Class: 2 papers as below:

I Paper on Magnetism, Electricity and Radio Theory according to the syllabus at Appendix I.

II Paper on Standard Radio Installations in use in the Maritime or Aeronautical Mobile Services according to the syllabus at Appendix II.

The I paper is compulsory for all candidates. It is of 3 hours duration. The II paper will be separate for the Maritime Mobile and Aeronautical Mobile Services and candidates will be required to take the one appropriate to their choice of Service. It is of 2 hours duration. (A candidate may at his option take the papers for both the Services).

Each paper carries a maximum of 100 marks. Candidates must secure 66 per cent. or a total of 132 marks in both the papers together for each Service for a pass.

Candidates are expected to have a comprehensive knowledge both of the fundamental principles and their general application with special reference to the apparatus in use in the Mobile Services.

#### (b) Second Class:

One paper of 3 hours duration on Magnetism, Electricity, Radio Theory and Standard Radio Installations in use in the Maritime Service. The detailed syllabus is given at Appendix I and IIA.

Candidates are expected to have a general knowledge of the fundamental principles and their application and a sound knowledge of the apparatus used in the Maritime Mobile Service.

The maximum marks for the paper are 100 and candidates must secure 50 marks for a pass.

#### (ii) Regulations and Traffic Procedure

##### (a) First Class:

One paper according to the syllabus given at Appendix III.

The paper will consist of 3 Sections—

Section 1.—International Regulations common to both Maritime Mobile and Aeronautical Mobile Services:

Section 2.—Traffic Procedure special to the Maritime Mobile Service; and

Section 3.—Traffic Procedure special to the Aeronautical Mobile Service.

All candidates must compulsorily answer Section 1 and choose one of the Sections 2 and 3 as appropriate to their choice of Service. Candidates

taking the examination for both the Services should answer all the Sections.

The paper is of 2 hours duration for any one Service and 3 hours when all the Sections are attempted.

The maximum number of marks is 100 for each Service and candidates must secure 66 per cent. for a pass.

(b) *Second Class:*

One paper according to the syllabus at Appendix III (Maritime Mobile Service only).

The paper is of 2 hours duration. The maximum number of marks is 100 and candidates must secure 50 per cent for a pass.

3.2.2. *Section II.—Morse.*

(i) *Morse Receiving:*

In the Morse Receiving Tests candidates are required to receive for *three consecutive minutes* for each test at the prescribed speed from a double head-gear telephone receiver ordinarily used for radio telegraph reception, international morse code signals from a valve oscillator keyed either manually or automatically. A short practice piece may be sent at the prescribed speed before the start of the actual test. Candidates will NOT be allowed more than one attempt in each test. The test may be written in ink or pencil but must be in long hand and legible. Bad handwriting will render a candidate liable to disqualification. The use of typewriters is not permitted.

(a) *First Class.*

*Plain language:* (Speed 25 words per minute).

The test piece will consist of a passage of 375 letters, five letters counting as one word.

More than 3 errors will disqualify a candidate.

*Code:* (Speed 20 groups per minute).

The test piece will consist of 60 groups of five characters each, a figure or punctuation mark being counted as two characters.

It is recommended that the code test be written in block capitals. More than 3 errors will disqualify a candidate.

(b) *Second Class:*

*Plain language:* (Speed 20 words per minute).

The test piece will consist of 300 letters, five letters counting as one word.

More than 2 errors will disqualify a candidate.

*Code:* (Speed 16 groups per minute).

The test piece will consist of 48 groups of five characters each, a figure or punctuation mark being counted as two characters.

It is recommended that the code test be written in block capitals. More than 2 errors will disqualify a candidate.

(ii) *Morse Sending:*

In the Morse Sending Test, candidates are required to send on an ordinary morse key for three consecutive minutes for each test, at not less than the prescribed speed. A short practice piece may be allowed before the actual test. Candidates will NOT be allowed more than one attempt in each test. All errors during sending must be corrected. Uncorrected errors will disqualify a candidate in this test. Particular attention will be paid to the formation and spacing of signals; bad formation and/or spacing will render a candidate liable to disqualification.

(a) *First Class:*

*Plain language:*

*Code:*

} Test pieces will be similar to those for receiving tests.

(b) *Second Class:*

*Plain language:* Test pieces will be similar to those for receiving tests.  
*Code:*

3.2.3. *Section III—Practical*(i) *Commercial working:*

This test will be conducted both by radiotelephony and radiotelegraphy. The general method of conducting the tests will be so arranged as to somewhat represent actual working conditions. Background noise simulating actual working conditions may be injected into the circuit during the tests.

Candidates will be expected to know and make use of common codes and procedure signals appropriate to the Service concerned and keep a log of the communications made during the tests.

Candidates will be required to carry out communications associated with mobile and/or base stations. Typical examples of what the candidates are expected to carry out are:

Preparation of messages for transmission—exchange of traffic—priorities in traffic—requesting D/F assistance—obtaining meteorological information—position reports—distress, urgency, safety and D/F traffic procedures

The Radiotelephony Test will be conducted over a synthetic R/T circuit. Candidates will be required to use the phonetic alphabet and general procedure for R/T working.

The Radiotelegraphy Test will be conducted on a valve oscillator circuit in the international morse code at the prescribed speeds. Candidates will be required to know and use the 'Q' code.

(a) *First Class*—The tests will be conducted separately for the Maritime and Aeronautical Mobile Services. Candidates will choose the Service appropriate to them or both at their option. Time allowed for the tests is approximately thirty minutes. The maximum number of marks is 100 for each Service and candidates should obtain 66 per cent for a pass.

(b) *Second Class*—The tests will be only for the Maritime Mobile Service.

Time allowed for the tests is approximately 30 minutes. The maximum number of marks is 100 and candidates should obtain 50 per cent. for a pass.

(ii) *Practical test on apparatus:*

This test will be conducted on radiotelegraph and radiotelephone apparatus and ancillary equipment, testing instruments etc. commonly in use in the Maritime and/or Aeronautical Mobile Service, as appropriate, according to the detailed syllabus at Appendix IV.

Until further notice the practical test will be conducted on the apparatus given in Appendix IVA and IVB.

Oral questions may also be asked to test the candidates' knowledge of the significance and functions of the various controls on the apparatus and of the operation of the ancillary equipment.

The test will generally be aimed at ensuring that candidates do not have merely a superficial knowledge of the apparatus.

(a) *First Class*—The test will be conducted separately for the Maritime Mobile (Appendix IVA) and Aeronautical Mobile Service (Appendix IVB). Candidates will be required to choose the service as appropriate to them, or both at their option.

The time allowed for the test is approximately one hour. The maximum number of marks is 100 for each service and candidates should obtain 66 per cent. for a pass.

(b) *Second Class*—The test will concern only with the Maritime Mobile Service (Appendix IVA).

The time allowed for the test is approximately one hour. The maximum number of marks is 100 and candidates should obtain 50 per cent. for a pass.

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#### 4. Examination for conversion of Second Class Certificate into First Class.—

4.1. A holder of the Second Class Radio Telegraph Operator's Certificate may appear for Part II only of the examination and obtain a First Class Radio Telegraph Operator's Certificate provided—

he has 12 months total experience within 3 years immediately preceding the date of application for such examination.

'Experience' for this purpose means experience at a Mobile Station in the Maritime or Aeronautical Mobile Service as a radio officer or wireless operator or as an operator of the radio telegraph apparatus at a radio telegraph station maintained on land for communication with Mobile Stations in the Maritime or Aeronautical Mobile Service

#### 4.2. Form and details of the examination:

4.2.1. The candidate will be required to pass Sections II and III only of the First Class Radio Telegraph Operator's Examination. The syllabus will be the same as for the corresponding sections of the examination for the First Class Radio Telegraph Operator's Certificate. In addition, in the practical test on commercial working, the candidate may be asked oral questions on regulations and procedure appropriate to the service he has chosen.

#### 5. Special Class Radio Telegraph Operator's Certificate.—

5.1. The examination will consist of the following Sections.

*Section I: Morse:*

*Section II: Practical & Oral Tests*

#### 5.2. Form and details of the examination:

*Section I: Morse:*

The morse sending and receiving tests are the same as for the Second Class Radio Telegraph Operator's Certificate;

*Section II: Practical & Oral Test*

(i) *Technical:*

Candidates will be expected to possess detailed knowledge of the practical operation and adjustment of typical radio apparatus commonly in use in the Maritime Mobile Service (Appendix IV 'A') with particular emphasis on the ability to—

- (a) detect and rectify simple faults;
- (b) detect and replace faulty fuses, valves, microphones and headphones;
- (c) change frequency of transmitting apparatus; and
- (d) tune receivers to different frequencies.

The time allowed is approximately one hour. The maximum number of marks is 100 and candidates must secure 50 per cent. for a pass

(ii) *Commercial working:*

Same as for the Second Class Radio Telegraph Operator's Certificate. In addition, oral questions may be asked on Regulations and procedure.

#### 6. Radio Telephone Operator's Certificate (General).—

6.1. The examination will be an oral and practical test and will consist of the following sections:

*Section I: Regulations and Procedure:*

*Section II: Technical:*

The examination will be conducted separately for the Maritime Mobile Service and the Aeronautical Mobile Service. Candidates may offer to be examined for one or both the services at their option.

#### 6.2. Form and details of the examination:

##### 6.2.1. Section I—Regulations and Procedure

The examination will be according to the syllabus given at Appendix III

Oral questions will be asked to test the candidate's knowledge of the regulations and procedure applicable to radiotelephony in the Service chosen by him.

A practical test will be conducted over a Synthetic R/T circuit. Candidates will be required to use the phonetic alphabet and general procedure for R/T working.

Candidates will be required to carry out communications associated with mobile and/or base stations. Typical examples of what candidates are expected to carry out are—

Preparation of messages for transmission—exchange of traffic—use of priorities—requesting D/F assistance—obtaining meteorological information—position reports—distress, urgency, safety and D/F traffic procedures.

The time allowed is approximately 30 minutes. The maximum number of marks is 100 for each Service and candidates must secure 50 per cent. for a pass.

#### 6.2.2. Section II—Technical

Candidates will be required to have—

(a) Elementary knowledge of—

the principles of radiotelephony apparatus—modulation systems—different types of modulation—microphones and their usage—headphones—propagation characteristics of frequencies in the MF, HF and V<sup>h</sup> bands—choice of frequencies for communication between different distances—aerials

(b) Detailed knowledge of—

Practical operation and adjustment of typical radiotelephone apparatus used in the Maritime Mobile Service and/or Aeronautical Mobile Service, with particular emphasis on the ability to:

- (i) detect and rectify simple faults;
- (ii) detect and replace faulty fuses, valves, microphones and headphones;
- (iii) change frequency of transmitting apparatus; and
- (iv) tune receivers to different frequencies.

The time allowed is one hour. The maximum number of marks is 100 and the candidates must secure 50 per cent. for a pass.

#### 7. Radio Telephone Operator's Certificate (Restricted).—

7.1. The examination will be an oral and practical test and consist of the following Sections:—

*Section I—Regulations and Procedure*

*Section II—Technical*

The examination will be conducted separately for the Maritime and the Aeronautical Mobile Services. Candidates may offer to be examined for one or both the services at their option.

7.2. *Form and details of the examination:*

7.2.1. *Section I—Regulations and Procedure*

This test will be the same as the one for Radio Telephone Operator's Certificate (General).

7.2.2. *Section II—Technical*

Candidates will be required to have a practical knowledge of the manipulation of a typical ship or aircraft radio telephony apparatus as appropriate to the Service chosen by them.

The time allowed is approximately 30 minutes. The maximum number of marks is 100 for each service and the candidates must secure 50 per cent for a pass.

#### APPENDIX I

##### *Magnetism, Electricity and Radio Theory (Detailed Syllabus)*

##### *Magnetism*

Magnetic fields—properties of magnetic materials—permeability—terrestrial magnetism;



*General Electrical Principles*

Simple atomic theory—current as electron flow—conductors and insulators—definitions—electrical units—Ohms Law—inductance, capacity—application of the electro-magnet;

*Batteries & Battery charging*

Primary and secondary cells—Battery charging and maintenance—switch boards,

*Motors, Dynamos, Alternators & Convertors*

Principles—construction and use—control of output or speed of rotation—starters—maintenance;

*Alternating Current Theory*

Sinusoidal alternating quantities—RMS and peak values—phase difference—vector addition of alternating quantities—impedence and reactance—series and parallel resonance—power factor—simple calculation,

*Electronic Theory*

Transformers—chokes—skin effect;

Thermionic emission—Valve Theory—electrode construction—valve characteristics—valve as an oscillator, amplifier, detector, etc.,

Mutual conductance, A C resistance, amplification factor, relation between  $g_m$ ,  $r_a$  and  $\mu$ —load resistance,

Different types of valves,

*Oscillatory Circuits*

Frequency and wavelength—resonance—free and forced oscillations—meaning of 'Q'—coupled circuits;

*Measuring Instruments*

Moving coil, moving iron, thermocouple and hot wire meters—the Megger—use of shunts and multipliers,

*Receiver Theory*

TRF Receiver—Superhetrodyne Receiver—Communication Receiver—detectors—hetrodyning—frequency changers—VHF RF and AF amplifiers—push pull and parallel arrangements—negative feed back—cathode follower—intervalve coupling AVC & AFC—sensitivity, selectivity, screening—signal/noise ratio—types of interference—methods of suppressing noise and minimising interference—CW and R/T reception—circuit diagrams—filters,

*Transmitter Theory*

Development of the valve oscillator—spark transmitter—CW, ICW and R/T transmitters for VHF, HF, MF and LF transmission—series and parallel feed—Class 'A', 'B', 'C' operation—crystal control—frequency stability—neutralisation—frequency multiplication—modulation and keying circuits,

*Power Supplies (Transmitters & Receivers)*

Battery supplies—motor generators, AC supplies—valve rectifiers—three phase connections—voltage doublers—metal rectifiers—vibrators—smoothing and regulation stabilovolts,

*Radio Telephony*

Essential processes of Radiotelephony—modulation and sidebands—methods of modulation—volume control—functions of microphones, headphones and loudspeakers—matching—circuit diagrams,

*Properties of Electro-magnetic waves*

Ground and sky waves—ionosphere—reflection—skip distance—polarisation and fading—echo and multipath—day and night frequencies—comparison of LF, MF HF and VHF propagation—'critical frequency',

*Aerials*

Principles of radiation—simple aerials—functions of earth—aerial reactance and capacity—standing waves—reflectors—Beam transmission—Polar diagrams—aerial/transmitter coupling—radiation resistance—power output—matching—feeders;

### *Direction Finding & Navigational Aids*

Basic principles—polar diagram of reception—the goniometer—comparison between BT and Adcock systems—errors in D/F—use of correction charts—radio and radar aids to navigation—radio beacons;

### *Cathode Ray Tubes*

Principles—construction—elements—controls—power supplies—simple time base—common application of oscilloscopes;

### *Specialised Thermionic Tubes*

Elementary principles and application of magnetron, klystron, thyatron, etc.;

### *Transistors*

Elementary principle and application; and

### *Radio Servicing and Testing*

Need for quantitative measurements—principle and method of using various types of test equipment—wavemeters—multivibrators—use of decibels—measurements applicable to servicing of radio apparatus—knowledge of rating and construction of components.

## APPENDIX II

### *Standard Radio Installation (Detailed Syllabus)*

#### *A. Maritime Mobile Service:*

Interpretation of typical circuit diagrams—general principles of operation and maintenance of standard ship radio equipment—receivers—transmitters—auto-alarm—types of aerials used on ships—D/F and Radio Navigational Aids—calibration of D/F maps—calculation of great circle distances—basic principles of radar, radar equipment—Decca—detailed knowledge of principles of operation and circuitry of equipment listed in Appendix IVA.

#### *B. Aeronautical Mobile Service:*

Interpretation of circuit diagrams—general principles of operation and maintenance of standard receivers, transmitters—automatic frequency changing arrangement—preselection of frequencies—types of aerials used on aircraft for different purposes—D/F and Navigational Aids—radio compass—omni ranges—marker beacons—VOR, ILS, GCA, DME—principles and functions of equipment on ground and air—basic principles of radar—Decca, Consol, Loran, Gee, SEA etc.—Detailed knowledge of principle of operation and circuitry of equipment listed in Appendix IVB.

## APPENDIX—III

### *Regulations and Traffic procedure (detailed syllabus) Maritime Mobile Service*

International 'Q' code and other abbreviations and signals used in the Maritime Mobile Service—international Telecommunication Convention, Radio and Additional Radio Regulations—that part of the Safety of Life at Sea Convention relating to radio communications—distress, urgency and safety procedure—D/F procedure—principal maritime navigational and telecommunication routes of the world—facilities afforded by coast stations—license requirements for installation and operation of radio apparatus on board ships—service documents to be carried on board ships—lay out of message—log-keeping.

### *Aeronautical Mobile Service*

International Telecommunication Convention and Radio Regulations; general and aeronautical 'Q' code signals and other abbreviations as contained in I.C.A.O. Annex. 10 with special reference to operation in the aeronautical mobile service;

Communication procedures as prescribed in I.C.A.O. Annex 10 both for radio telegraph and radio telephone communication particularly those applicable to the aeronautical mobile service—procedures for distress, urgency and safety communications—procedures for direction-finding systems operated on HF and VHF bands; procedures for distress communication in the Maritime Mobile Service;

Word-spelling system used in radiotelephony, applicable in the Aeronautical Mobile Service and the Maritime Mobile Service;

Licensing requirements of installation and operation of radio apparatus on aircraft—minimum requirement of radio equipment to be carried on aircraft for

international air operations as prescribed in the I.C.A.O. Annex. 6 and for other operations as prescribed by Civil Aviation authority in India vide Notice to Airmen No. 9 of 1954;

Flight information regions in India and main radio communication and navigational facilities available—principal frequencies to be used for communication and navigational assistance for flights within India—meteorological codes—pre-flight briefing services and their usage—knowledge of relevant publications and notices to Airmen issued by the Civil Aviation authority in India as applicable to the Aeronautical Mobile and Air Traffic Control Service.—upkeep of operators' logs—documents with which aircraft stations must be provided.

#### APPENDIX IV

##### *Practical test on apparatus (detailed syllabus)*

1. The practical examination will be conducted on both radio telephone and radio telegraph apparatus.

2. Candidates are required to know—

(i) the functions of the various pieces of apparatus in the radio installations of mobile stations and ancillary equipment and testing instruments, etc.;

(ii) the common faults and means usually adopted to remedy them; and

(i) how to—

(a) change frequencies of the transmitting apparatus and operate receiver controls;

(b) start a transmitter and vary power;

(c) trace and clear faults in the transmitting and receiving apparatus;

(d) test and charge accumulators; and

(e) use D/F apparatus and obtain bearings.

3. Candidates will be required to demonstrate their ability to—

(i) tune a receiver and transmitter to any required frequency and manipulate the controls for correct transmission and reception;

(ii) make rapid changes of wave lengths;

(iii) manipulate D/F equipment and obtain bearings;

(iv) test and adjust auto alarm (in the Maritime Mobile Service) and identify different components and trace and rectify faults in an apparatus and ancillary equipment with available testing instruments.

4. Oral questions may also be asked to test the thoroughness of the candidate's knowledge.

5. Until further orders the practical tests will be conducted on the apparatus listed below:—

##### A. Maritime Mobile Service:

1. Marconi 'Oceanspan' Transmitter Type No. RT 301 Series.

2. Emergency Transmitter Marconi Type RT 102.

3. Receivers—Marconi 'Mercury and Electra' Type RS-601 and RS 301.

4. Emergency and Guard Receiver Marconi Type RS 101.

5. MF/DF Marconi-Lodestone Type RD 101.

6. Auto alarm Marconi 'VIGILANT'.

7. Power supply and other ancillary equipment associated with items 1—6 above.

##### B. Aeronautical Mobile Service:

1. Radio Set SCR—287 (U.S.A.).

2. Radio set SCR—274 (U.S.A.).

3. Radio Compass SCR—269 (U.S.A.).

4. VHF Set SCR—522 (U.S.A.).

5. Power supply and other ancillary equipment associated with items 1—4 above.

[No. WE-3/15/54.]

V. M. BHIDE, Dy. Secy.

**MINISTRY OF HEALTH***New Delhi, the 4th January 1955*

**S.R.O. 163.**—The following draft of a further amendment in the Drugs Rules, 1945, which it is proposed to make after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by section 33 of the Drugs Act, 1940 (XXIII of 1940), is published as required by the said section for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration after the 22nd April, 1955.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

*Draft Amendment*

In rule 49 of the said Rules, clause (b) shall be omitted.

[No. DR/49/2/F.1-38/54-DS.]

KRISHNA BIHARI, Under Secy.

*New Delhi, the 5th January 1955*

**S.R.O. 164.**—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by sub-section (2) of section 4 and sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), after consultation with the Central Committee for Food Standards, is hereby published for the information of persons likely to be affected thereby; and notice is hereby given that the draft will be taken into consideration on or after the 10th February 1955.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified shall be considered by the Central Government.

**DRAFT RULES****PART I—PRELIMINARY**

1. **Short title, extent and commencement.**—(1) These rules may be called the PREVENTION OF FOOD ADULTERATION RULES, 1955.

(2) They extend to the whole of India except the State of Jammu and Kashmir.

(3) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**—In these rules, unless the context otherwise requires—

- (a) "Act" means the Prevention of Food Adulteration Act, 1954 (37 of 1954).
- (b) "Director" means the Director of the Laboratory.
- (c) "Laboratory" means the Central Food Laboratory.
- (d) "Form" means a form set forth in Appendix A to these rules.

**PART II—THE CENTRAL FOOD LABORATORY**

3. **Functions.**—In addition to the functions entrusted to the Laboratory by the Act, the Laboratory shall carry out the following functions, namely:—

(a) analysis of samples of food sent by any officer or authority authorized by the Central Government for the purpose and submission of the certificate of analysis to the authorities concerned;

(b) investigations for the purpose of fixation of standards of any article of food;

(c) investigations in collaboration with the laboratories of Public Analysts in the various States for the purpose of standardizing methods of analysis.

4. **Analysis of food samples.**—(a) Samples of food for analysis whether under sub-section (2) of section 13 of the Act or under clause (a) of rule 3 shall be sent

either through a messenger or by registered post in a sealed packet, enclosed, together with a memorandum in Form I in an outer cover addressed to the Director.

(b) The packet as well as the outer cover shall be marked with a distinguishing number.

(c) A copy of the memorandum and a specimen impression of the seal used to seal the packet shall be sent separately by registered post to the Director.

(d) On receipt of the packet, it shall be opened either by the Director or by an officer authorized in writing in that behalf by the Director who shall record the condition of the seal on the packet.

(e) After test or analysis, the certificate thereof shall be supplied forthwith to the sender in Form II.

(f) The fees payable in respect of such certificates shall be according to the rates specified by the Central Government.

(g) Certificates issued under these rules by the Laboratory shall be signed by the Director.

### PART III—DEFINITIONS AND STANDARDS OF QUALITY

Standards of quality of the various articles of food specified in Appendix B to these rules are as defined in that appendix.

### PART IV—PUBLIC ANALYSTS AND FOOD INSPECTORS

**6. Qualifications of public analyst.**—A person shall not be qualified for appointment as public analyst unless he—

(i) is a graduate, with chemistry as one of the subjects, of a University recognized for this purpose by the State Government and has had for not less than five years post-graduate experience in the analysis of food in a laboratory under the control of (a) a public analyst appointed under the Act, or (b) a chemical examiner to Government, or (c) a Fellow of the Royal Institute of Chemistry of Great Britain (Branch E), or (d) the head of an institution specially approved for the purpose by the State Government; or

(ii) is an M.Sc. in chemistry or holds a research degree on the subject of a University recognized for this purpose by the State Government and has had for not less than two years post-graduate experience in the analysis of articles of food under the control of (a) a public analyst appointed under the Act, or (b) a chemical examiner to Government, or (c) a Fellow of the Royal Institute of Chemistry of Great Britain (Branch E), or (d) the head of an institution specially approved for the purpose by the State Government; or

(iii) is a graduate in medicine of a University recognized for the purpose by the State Government with a post-graduate qualification in Public Health and with experience in food analysis for at least three years; or

(iv) is a Fellow of the Royal Institute of Chemistry of Great Britain (Branch E):

Provided that for a period of four years from the commencement of the Act, persons whose qualifications, training and experience are regarded by the State Government as affording, subject to such further training, if any, as may be considered necessary, a reasonable guarantee of adequate knowledge and competence may be appointed as public analysts.

**7. Duties of public analyst.**—(1) On receipt of a package from a food inspector or any other person containing a sample for analysis, the public analyst shall compare the seals on the packet with specimen impression received separately and shall note the condition of the seals on the package.

(2) The public analyst shall cause to be analysed such samples of articles of food as may be sent to him by food inspector or any other person under the Act.

(3) After the analysis has been completed he shall forthwith supply to the person concerned a report in triplicate in Form III of the result of the analysis.

(4) A public analyst shall, periodically forward to the State Government reports giving the result of analytical work with a view to their publication at the discretion of the Government.

**8 Qualifications of a food inspector.**—A person shall not be qualified for appointment as food inspector unless he—

- (i) is a medical officer in charge of the health administration of a local area, or
- (ii) is a graduate in medicine, or
- (iii) is a holder of qualification in sanitary science registrable as an additional qualification by the State Medical Council, or Health Officers Examination certificate or possesses qualifications prescribed by the respective State Governments for appointment of sanitary inspectors or health inspectors.

Provided that for a period of four years from the date on which the Act takes effect, persons whose qualifications, training and experience are regarded by the State Government as affording, subject to such further training, if any, as may be considered necessary, a reasonable guarantee of adequate knowledge and competence may be appointed as food inspectors

**9 Duties of food inspectors.**—It shall be the duty of the food inspector—

- (1) to inspect as frequently as may be prescribed by the Food (Health) Authority or the local authority all establishments licensed for the manufacture, storage or sale of an article of food within the area assigned to him;
- (2) to satisfy himself that the conditions of the licences are being observed;
- (3) to procure and send for analysis, if necessary, samples of any articles of food which he has reason to suspect are being manufactured, stocked or sold or exhibited for sale in contravention of the provisions of the Act or rules thereunder;
- (4) to investigate any complaint which may be made to him in writing;
- (5) to maintain a record of all inspections made and action taken by him in the performance of his duties, including the taking of samples and the seizure of stocks, and to submit copies of such record to the health officer or the Food (Health) Authority as directed in this behalf;
- (6) to make such enquiries and inspections as may be necessary to detect the manufacture, storage or sale of articles of food in contravention of the Act or rules thereunder;
- (7) to stop any vehicle suspected to contain any food intended for sale or delivery for human consumption,
- (8) when so authorized by the health officer or the Food (Health) Authority, to detain imported packages which he has reason to suspect contain food, the import or sale of which is prohibited, and
- (9) to perform such other duties as may be entrusted to him by the health officer or the Food (Health) Authority

**10 Form of order not to dispose of stock.**—Where the food inspector decides to keep under sub-section (4) of section 10 of the Act in the safe custody of the vendor any article of food which appears to him to be adulterated or misbranded, he shall make an order to the vendor to that effect in Form IV, and the vendor shall comply with such order

**11 Form of receipt for food seized by a food inspector.**—For every article of food seized and carried away by a food inspector under sub-section (4) of section 10 of the Act, a receipt in Form V shall be given by the food inspector to the person from whom the article was seized

**12 Form of intimation of purpose of taking sample.**—Where a food inspector takes a sample of an article of food for the purpose of analysis, he shall intimate such purpose in writing in Form VI to the person from whom he takes the sample

**13 Power of food inspector to deal with carriers of disease handling food.**—(1) Where the food inspector is of the opinion that any person engaged in selling or manufacturing any article of food is suffering from or harbouring the germs of any infectious disease, he may examine or cause to be examined such person.

Provided that where such person is a female above the age of eight years she shall be examined by a woman duly authorized by the food inspector

(2) If on such examination the food inspector finds that such person is suffering from any such disease, he may by order in writing direct such person not to take part in selling or manufacturing any article of food without the permission of the food inspector.

#### PART V—SEALING, FASTENING AND DESPATCH OF SAMPLES

14. Samples of food for the purpose of analysis shall be taken in clean dry bottles or jars which shall be closed by glass stoppers or new corks sufficiently tight to prevent leakage, evaporation, or in the case of dry substance, entrance of moisture, and shall be carefully sealed. In the case of milk the bottle shall be nearly full in order to prevent the separation of fat by shaking in transit. Sweetmeats and other articles of food liable to decomposition shall be sent for analysis not more than 48 hours after they are taken.

15. All bottles containing samples for analysis shall be properly labelled and the parcels shall be properly addressed. The label on any sample of food sent for analysis shall bear—

- (a) Serial No.
- (b) Name of the sender with official designation, if any.
- (c) Name of the vendor.
- (d) Date and place of collection.
- (e) Nature of article submitted for analysis.
- (f) Nature and quantity of preservative, if any, added to the sample.

16. All samples of food sent for analysis shall be packed, fastened and sealed in the following manner, namely:—

- (a) The stopper shall first be securely fastened so as to prevent leakage of the contents in transit.
- (b) The bottle shall then be completely wrapped in fairly strong thick paper. The ends of the papers shall be neatly folded in and affixed by means of gum or other adhesive.
- (c) The paper cover shall be further secured by means of strong twine or thread both above and across the bottle and the twine or thread shall then be fastened on the paper cover by means of sealing wax on which there shall be at least four distinct and clear impressions of the seal of the sender, of which one shall be at the top of the packet, one at the bottom and the other two on the body of the packet. The knots of the twine or thread shall be covered by means of sealing wax bearing the impression of the seal of the sender.

17. The container of sample for analysis shall be sent to the public analyst/Director by registered post or by hand in a sealed packet, enclosed together with a memorandum, in Form VII in an outer cover addressed to the public analyst/Director.

18. A copy of the memorandum and a specimen impression of the seal used to seal the packet shall be sent to the public analyst/Director separately by registered post.

19. Any person taking a sample of any food for the purpose of analysis under the Act may add a preservative to the sample for the purpose of maintaining it in a condition suitable for analysis.

20. The preservative used in the case of samples of any milk (including skimmed and separated milk), and gur shall be the liquid commonly known as "formalin" that is to say, a liquid containing about 40 per cent. of formaldehyde in aqueous solution, in the proportion of two to three drops for one ounce for the sample.

21. The preservatives used in the case of butter, cheese, channa, cream shall be borax or boric acid in the proportion of 0.5 parts for every 100 parts of the sample.

22. Whenever any preservative is added to a sample, the nature and quantity of the preservative added shall be clearly noted on the label to be affixed to the container.

23. The quantity of sample of food to be sent to the public analyst/Director for analysis shall be as specified below:

Article of food	Quantity to be supplied
	Oz.
1. Milk . . . . .	4
2. Ghee . . . . .	2
3. Butter . . . . .	2
4. Khoa . . . . .	2
5. Dahi . . . . .	4
6. Edible oils . . . . .	2
7. Edible fats . . . . .	2
8. Tea . . . . .	2
9. Atta . . . . .	4
10. Wheat flour . . . . .	4
11. Gur . . . . .	4
12. Cane Sugar . . . . .	4
13. Honey . . . . .	2
14. Prepared food . . . . .	8

#### PART VI—PRESERVATIVES

24. Preservative means a substance which when added to food, is capable of inhabiting, retarding, or arresting the process of fermentation, acidification, or other decomposition of food but does not include common salt (sodium chloride), salt petre (sodium or potassium nitrate), sugar, lactic acid, acetic acid or vinegar, glycerine, alcohol or potable spirits, herbs, hop extract, spices and essential oils used for flavouring purposes or any substance added to food by process of curing known as smoking.

25. No person shall manufacture for sale or sell any article of food which contains preservative:

Provided that the articles of food specified below may contain preservatives of the nature and in proportion mentioned against them:—

Article of food	Preservative	Parts per million
1. Sausages and sausage meat containing raw meat, cereals and condiments . . . . .	Sulphur dioxide . . . . .	450
2. Fruit and fruit pulp (not dried) for conversion into jam or crystallised glaze or cured fruit : (a) Cherries . . . . . (b) Strawberries and raspberries . . . . . (c) Other fruits . . . . .	Do. . . . . Do. . . . . Do. . . . .	3,000 2,000 1,000
3. Dried fruits : (a) Apricots, peaches, apples and pears . . . . . (b) Raisins and sultanas . . . . .	Sulphur dioxide . . . . . Do. . . . .	2,000 750
4. Unfermented grape juice and non-alcoholic wine made from such grape juice if labelled in accordance with rules . . . . .	Benzoic acid . . . . .	2,000
5. Other non-alcoholic wines, cordials and fruit juices sweetened or unsweetened . . . . .	Sulphur dioxide or Benzoic acid . . . . .	350 600
6. Jam (including marmalade and fruit jelly prepared in the way in which jam is prepared) . . . . .	Sulphur dioxide . . . . .	40
7. Crystallised glaze or cured fruit (including candied peel) . . . . .	Do. . . . .	100
8. Fruit and fruit pulp not otherwise specified in this table . . . . .	Do. . . . .	350



Article of food	Preservative	Parts per million
9. Sugar (including solid glucose)	Sulphur dioxide	70
10. Corn syrup (liquid glucose)	Do.	450
11. Gelatine	Do.	1,000
12. Beer	Do.	70
13. Cider	Do.	200
14. Alcoholic wines	Do.	450
15. Sweetened mineral waters	Sulphur dioxide or Benzoic acid	70
16. Brewed ginger beer	Benzoic acid	120
17. Coffee extract	Do.	450
18. Pickles and sauce made from fruit or vegetables	Do.	250
19. Cornflour (maize starch and other starches)	Sulphur dioxide	100
20. Ginger (intended for export)	Do.	2,000 to 4,000

NOTE.—(1) The proportion of the preservatives are by weight.

(2) 'Sulphur dioxide' shall include sulphites, and 'benzoic acid' shall include benzoates

26 No food shall contain more than one of the two preservatives specified in rule 25 except in the case of a mixed food prepared from two or more foods in which different preservatives are permitted, and mixed food so prepared shall not contain a greater amount of any one preservative than is specifically allowed in the quantity of that food containing the preservative used in the preparation of the mixed food

27 Every person who sells any food containing any preservative shall attach to the package containing such food a label in which shall be written in bold letters a statement in the following form:

(a) Contains permitted preservative

NOTE.—The declaration shall be completed by inserting at (a) the word 'this' or 'these' followed by the name of the article of food.

28. Every person who sells any package containing any preservative intended for use in food shall attach thereto a label in which shall be written the chemical name of the preservative and the proportion present, in the following form:—

This preservative contains  
(a) per cent of sulphur dioxide

NOTE.—(1) Where the article contains benzoic acid, the words "benzoic acid" shall be substituted for the word "sulphur dioxide".

(11) The declaration shall be completed by inserting at (a) in words and figures, excluding fractions [e.g. "seventy (70)"], the true percentage of sulphur dioxide or benzoic acid present in the article.

#### PART VII—COLOURING MATTER

29. The addition of a colouring matter to any article of food except as specifically permitted by these rules, is prohibited.

30. Where an artificial colouring matter has been added to any article of food there shall be written in the label attached to any package of food so coloured a statement in capital letters as below:

#### ARTIFICIALLY COLOURED

Provided that this rule shall not apply to cheese (all classes), ice-cream, mixed ice-cream, butter, icing sugar and gelatine desserts.

31. Notwithstanding provisions of rule 30 caramel may be used without label declaration in non-alcoholic beverages, dahi, sauces and vinegar.

32. The following natural colouring matters may be used in or upon any article of food:

- (a) Cochineal or Carmine,
- (b) Carotin and Carotenoids,
- (c) Chlorophyll,
- (d) Lactoflavin,
- (e) Caramel, or
- (f) any other harmless colour.

33. Inorganic colouring matters and pigments shall not be added to any article of food.

34. No coal tar dyes except the following shall be used in the preparation of foods:

- (a) Indigotine (F.D.C. Blue No. 2)
- (b) Orange I (F.D.C. Orange No. 1)
- (c) Amaranth (F.D.C. Red No. 2)
- (d) Erythrosine (F.D.C. Red No. 3)
- (e) Tartrazine (F.D.C. Yellow No. 5)

35. Use of synthetic organic colours or coal tar dyes in or upon any food other than those enumerated below are prohibited:

- (a) Ice-cream including mixed ice-cream,
- (b) Dairy products except milk and Dahi,
- (c) Smoked fish,
- (d) Egg preparations,
- (e) Sweets including pastry and confectionary,
- (f) Fruit conserves, jams and jellies, and
- (g) non-alcoholic beverages.

36. The maximum limit of permissible colour which may be added to any food shall be one grain per pound of food;

Provided that raw food which is taken after cooking in the usual way shall not contain any colouring matter whatever including those specified in rule 35.

37. The permissible synthetic colouring matter which may be used in or upon foods shall be free from all toxic contaminants that are likely to be introduced during the process of manufacture.

38. The colours specified in rule 34 when used in the preparation of any article of food shall be absolutely pure and free from any harmful impurities.

#### PART VIII—PACKING AND LABELLING OF FOODS

39. Unless exempted by the Act or any of the rules thereunder, every label shall include:

- (a) the name, trade name, or description of the food contained in the package;
- (b) the name and business address of the manufacturer or importer, or vendor, or packer, not being a post office address;
- (c) where any permissible preservative is present a statement of nature and quantity or proportion of such preservative;
- (d) where any permissible colouring and/or flavouring is present the declaration of such colouring and/or flavouring of such colouring and/or flavouring; and
- (e) the net weight, or number or measure, or volume as the case may require.

40. The declaration under rules shall be printed in dark block types upon a light coloured ground in English, Hindi (in Devnagri script) and at least one of the chief languages of the State.

41. There shall be a surrounding line enclosing the declaration and in cases in which the words "unfit for babies" are required to be used there shall be another such line enclosing these words.

42. The distance between any part of the words "unfit for babies" and the surrounding line enclosing these words shall not be less than one-sixteenth of an inch.

43. The type used for the declaration shall not in any part, be less than one-eighth of an inch in height:

Provided that where the size of the package does not permit use of a type of one-eighth of an inch, letters of proportionately reduced size may be used:

Provided further that the type used for the words "unfit for babies" shall not be less than twice the height of any part of the declaration.

44. A label shall not contain any statement, claim, design, device, fancy name or abbreviation which is false or misleading in any particular concerning the food contained in the package, or concerning the quantity or the nutritive value or in relation to the place of origin of the said food.

45. The label shall not contain any reference to the Act or any of these rules or any comment on, or reference to, or explanation of any particulars or declaration required by the Act or any of these rules to be included in the label which directly or by implication, contradicts, qualifies, or modifies such particulars or declaration.

46. There shall not appear in the label of any package containing food for sale the words "recommended by the medical profession" or any words which imply or suggest that the food is recommended, prescribed, or approved by medical practitioners.

47. A label which describes a food shall not include the word "pure" or any word or words of the same significance, unless the food is of the composition, strength, purity or quality prescribed by the Act or these rules, and unless it is free from artificial colour and preservatives.

48. There shall not be written in the statement or label attached to any package containing any article of food the word "imitation" or any word or words implying that the article is a substitute for any food, unless the use of the said word or words is specifically permitted by rules.

49. The word "pure" or any word or words of the same significance shall not be included in the label of a package that contains an imitation of any food.

#### 50. Form of Labels:

(A) *Coffee Mixture*.—(i) Every package containing a mixture of coffee and chicory shall have affixed to it a label upon which shall be printed such one of the following declarations as may be applicable or any other declaration to the like effect:

(a) *In the case of a mixture of coffee and chicory in which the proportion of chicory is 50 per cent. or less:*

Coffee blended with chicory				
This mixture contains :				
Coffee . . . . .				per cent
Chicory . . . . .				per cent

(b) *In the case of a mixture of coffee and chicory in which the proportion of chicory exceeds 50 per cent:*

Chicory blended with coffee				
This mixture contains :				
Chicory . . . . .				per cent
Coffee . . . . .				per cent

(ii) The label shall not bear any misleading expression such as "French coffee". The admixture of chicory shall be indicated on the same label in the same bold type and with the same colouring as used for the word 'coffee' and immediately below it.

(iii) If there is attached to the tin or other wrapper bearing the name, trade name or design representing the brand of the mixture of coffee and chicory one of the following courses shall be adopted, namely:

- (a) The declaration in English, Hindi (in Devnagri script) and in one of the chief languages of the State may be printed on, or affixed to the transfer or other wrapper or affixed to the portion of the tin or other receptacle not covered by the transfer or other wrapper; or
- (b) The declaration in English, Hindi (in Devnagri script) may be printed on the wrapper and the declaration in one of the chief languages of the State may be on a separate label affixed to the transfer or other wrapper or the portion of the tins or other receptacle not covered by the transfer or other wrapper.

Any such transfer or other wrapper shall, in addition, bear the name and business address of the manufacturer, or importer of the mixture of coffee and chicory or of the vendor for whom it is manufactured.

(iv) In the case of a mixture containing more than 50 per cent. of chicory, the printed label shall describe the contents as chicory and may also state that it is blended with coffee but no wording shall be used that might suggest that the mixture is sold as coffee whether blended or not.

(B) *Condensed Milk or Dessicated (Dried) Milk.*—(i) Every package containing condensed milk or dessicated (dried) milk shall bear a label upon which is printed such one of the following declarations as may be applicable or such other declaration substantially to the like effect as may be allowed by the State Government:

- (a) *In the case of condensed full cream milk (unsweetened):*

CONDENSED FULL CREAM MILK  
(UNSWEETENED)  
This tin contains the equivalent of  
(x).....pints of milk

- (b) *In the case of condensed full cream milk (sweetened):*

CONDENSED FULL CREAM MILK  
(SWEETENED)  
This tin contains the equivalent of  
(x).....pints of milk, with sugar  
added.

- (c) *In the case of condensed skimmed milk (unsweetened):*

CONDENSED MACHINE-SKIMMED MILK  
or  
CONDENSED SKIMMED MILK  
(UNSWEETENED)

UNFIT FOR BABIES

This tin contains the equivalent of  
(x).....pints of milk.

(d) *In the case of condensed skimmed milk (sweetened):*

<p>CONDENSED MACHINE-SKIMMED MILK or CONDENSED SKIMMED MILK (SWEETENED)</p> <div style="border: 1px solid black; width: 60%; margin: 10px auto; padding: 5px;"> <p>UNFIT FOR BABIES</p> </div> <p>This tin contains the equivalent of (x).....pints of milk with sugar added.</p>
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(e) *In the case of dessicated (dried) full cream milk:*

<p>DRIED FULL CREAM MILK</p> <p>This tin contains the equivalent of (x) .....pints of milk</p>
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(f) *In the case of dessicated (dried) partly skimmed milk:*

<p>DESSICATED (DRIED) PARTLY SKIMMED MILK</p> <div style="border: 1px solid black; width: 80%; margin: 10px auto; padding: 5px;"> <p>Should not be used for Babies <i>EXCEPT</i> under medical advice</p> </div> <p>This tin contains the equivalent of (x).....pints of cream milk.</p>
--

(g) *In the case of dessicated (dried) skimmed milk:*

<p>DESSICATED (DRIED) SKIMMED MILK</p> <div style="border: 1px solid black; width: 60%; margin: 10px auto; padding: 5px;"> <p>UNFIT FOR BABIES</p> </div> <p>This tin contains the equivalent of (x).....pints of skimmed milk.</p>
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(ii) The declaration shall in each case be completed by inserting at (x) the appropriate number in words and in figures, for example, "one and a half ( $1\frac{1}{2}$ )", any fraction being expressed as eighth, quarters or a half.

(iii) There shall not be placed on any package containing condensed milk or dessicated (dried) milk any comment on, explanation of, or reference to either the statement of equivalence, contained in the prescribed declaration or on the words "Machine skimmed", "skimmed" or "unfit for babies" except instructions as to dilution as follows:—

"To make a fluid not below the composition as fresh milk or skimmed milk or cream milk (as the case may be) with the contents of this package,

add (here insert the number of parts) of water by volume to one part by volume of this condensed milk or dessicated (dried) milk."

(iv) Wherever the word "milk" appears on the label of a package of condensed skimmed milk or of dessicated (dried) skimmed milk as the description or part of the description of the contents, it shall be immediately preceded or followed by the word "Machine skimmed" or "skimmed" or "partly skimmed" as the case may be.

(C) *Ice-Cream*.—Every dealer in ice-cream or mixed ice-cream who, in the street or other place of public resort, sells or offers or exposes for sale, ice-cream or ice-candy from a stall or from a cart, barrow or other vehicle, or from a basket, pail, tray or other container used without a staff or a vehicle, shall have his name and address along with the name and address of the manufacturer, if any, legibly or conspicuously displayed on the stall, vehicle or container, as the case may be.

**51. Notice of addition, admixture or deficiency in food.**—(1) Every advertisement and every price or trade list or label for an article of food which contains an addition, admixture or deficiency shall describe the food as containing such addition, admixture or deficiency and shall also specify the nature and quantity of such addition, admixture or deficiency. No such advertisement or price or trade list or label attached to the container of the food shall contain any words which might imply that the food is pure.

(2) Every package, containing a food which is not pure by reason of any addition, admixture or deficiency shall be labelled with an adhesive label, which shall have the following declaration:—

DECLARATION	
This (a) .....	contains an
admixture of not more than (b) ..	
..... per cent of (c) .....	
.....	

(a) Here insert the name of food.

(b) Here insert the quantity of admixture which may be present.

(c) Here insert the name of the admixture or the name of the ingredient which is deficient.

Where the context demands it, the words 'contains an admixture of' shall be replaced by the words 'contains an addition of' or 'is deficient in'.

(3) Unless the vendor of a food containing an addition, admixture or deficiency, has reason to believe that the purchaser is able to read and understand the declaratory label, he shall give the purchaser the information contained in the declaratory label by word of mouth at the time of sale.

(4) Nothing contained in this rule shall be deemed to authorise any person to sell any article of food required under the Act or these rules to be sold in pure condition, otherwise than in its pure condition.

#### PART IX—PROHIBITING AND REGULATING OF SALES

**52.** No person shall either by himself or by any servant or agent sell—

- cream which has not been prepared from milk or which contains less than 40 per cent. of milk fat,
- milk which contains any added water,
- ghee containing any added matter not exclusively derived from milk fat,
- skimmed milk (fat abstracted) as milk,
- a mixture of two or more edible oils as an edible oil,
- vanaspati in which ghee has been added,
- tomato juice containing added salt, sugar, or dextrose, unless the main panel or the main label of every package thereof carries, legibly and conspicuously, a declaration by name of the presence of such added substance,

- (h) a jam that contains added pectin or pectinous preparation unless both the inner and the outer labels of every package thereof carry, legibly and conspicuously, a declaration of such added substance,
- (i) any article of food which contains or in the preparation of which artificial sweetener has been used.

53. No person shall use the word honey or any word, mark, illustration, or device that suggests honey on the label or any package of, or in any advertisement for, any food that resembles honey but it is not pure honey.

54. No person shall sell or have in his possession for the purpose of sale or for use as an ingredient in the preparation of an article of food for sale a mixture of ghee or butter and any substance (a) prepared in imitation or as a substitute for ghee or butter, or (b) consisting of or containing any oil or fat which does not conform to the definition of ghee:

Provided where a mixture prohibited by this rule is required for the preparation of an article of food, such mixture shall be made only at the time of the preparation of such article of food.

55. No person shall sell any food containing any colouring, flavouring matter preservative, or any other chemical substances such as saxin, dulcin, glucin or other synthetic sweetening matter or any mineral oil, mineral fat or mineral salt (except sodium chloride) or paraffin or resin, unless the addition or presence of any such substance to that food is specifically permitted by the rules:

Provided that saccharine may be added to any food if the containers of such food are labelled with an adhesive declaratory label, which shall be in the form given below:

This.....(name of food) contains an admixture of not more than..... per cent. of saccharine. Exclusively meant for use by diabetic patients or persons suffering from obesity or where sugar is contraindicated.

56. No person shall, sell or use as an ingredient in the preparation of any article of food intended for sale, the flesh of any animal or fowl which has died on account of natural causes.

#### PART X—CONDITIONS FOR SALE AND LICENCE

57. **Conditions for sale.**—(1) Every utensil or container used for manufacturing, preparing or containing any food or ingredient of food intended for sale shall be kept at all times in good order and repair and in a clean and sanitary condition. No such utensil or container shall be used for any other purpose.

(2) No person shall use for manufacturing, preparing or containing any food or ingredient of food intended for sale, any utensil or container which is imperfectly enamelled, or imperfectly tinned or which is made of such materials or is in such a state as to be likely to injure such food or render it noxious.

(3) Every utensil or container containing any food or ingredient of food intended for sale shall at all time be either provided with a tight-fitting cover or kept closed or covered by a properly fitting lid or by a close fitting cover or gauze, net or other material of a texture sufficiently fine to protect the food completely from dust, dirt and flies and other insects.

(4) No utensil or container used for the manufacture or preparation of or containing any food or ingredient of food intended for sale shall be kept in any place in which such utensil or container is likely by reason of impure air or dust or any offensive, noxious or deleterious gas or substance or any noxious or injurious emanations, exhalation, or effluvium, to be contaminated and thereby render the food noxious.

(5) A utensil or container made of the following materials or metals, when used in the preparation of food, shall be deemed to render it unfit for human consumption:

- (i) container which have become rusty;
- (ii) enamelled containers which have become chipped and rusty;
- (iii) copper or brass containers which are not properly tinned; and
- (iv) containers made of aluminium containing an admixture of lead.

**2. Conditions for Licence.**—(1) No person shall manufacture, sell, stock, distribute or exhibit for sale any of the following articles of food except under a licence:—

- (a) milk or skimmed milk or separated milk,
- (b) milk products, including khoa, cream, rabri, dahi, etc.,
- (c) ghee,
- (d) butter,
- (e) hydrogenated vegetable oils,
- (f) charbi,
- (g) edible oils,
- (h) waste Ghee,
- (i) sweetmeats, or
- (j) any other article of food which the State Government by notification specify.

(2) The State Government or the local authority shall appoint licensing authorities.

(3) A licensing authority may with the approval of the State Government, the local authority by an order in writing delegate the power to sign licences and such other powers as may be specified in the order to any other person under his control.

(4) If articles of food are manufactured, stored or exhibited for sale at more than one place, separate application shall be made, and a separate licence shall be issued, in respect, of each such place:

Provided that this shall not apply to itinerant vendors who have no specified place of business and who will be licensed to conduct business in a particular area within the jurisdiction of the licensing authority.

(5) Before granting a licence for manufacture, stock or exhibition of any of the article of food in respect of which a licence is required, the licensing authority shall inspect the premises and satisfy itself that it is free from sanitary defects. The applicant for the licence shall have to make such alteration in the premises as may be required by the licensing authority for the grant of a licence.

(6) Any person to whom a licence is granted for manufacturing, storing or selling ghee, butter or both, shall not be granted a licence to manufacture, store or sell either waste ghee or hydrogenated vegetable oil or charbi within the radius of a furlong from the place of his business and *vice versa*.

(7) Proprietors of hotels and restaurants who sell or expose for sale savouries, sweets or other articles of food shall put up a notice board containing separate lists of the articles which have been cooked in ghee, edible oil, hydrogenated vegetable oils and other fats for the information of the intending purchasers.

(8) Oils which are declared as not intended for human consumption or have been denatured, shall not be manufactured stored or sold in the same premises where edible oils are manufactured, stored or sold.

(9) Sweetmeats prepared in hydrogenated vegetable or edible oils shall not sold in the same premises in which sweetmeats prepared from ghee are sold

(10) No licensee shall employ in his work any person who is suffering from infectious, contagious or loathsome disease.

(11) No person shall manufacture, store or expose for sale or permit the sale of any article of food in any premises not effectively separated to the satisfaction of the licensing authority from any privy, urinal, sullage, drain or place or storage of foul and waste matter.

(12) All vessels used for the storage or manufacture of the articles intended for sale shall have proper covers to avoid contamination.

(13) Every manufacturer or wholesale dealer in butter, ghee hydrogenated vegetable oils, edible oils, and other fats shall maintain a register showing the quantity manufactured received or sold and the destination of each consignment of the substances sent out from his manufactory or place of business, and shall present such register for inspection whenever required to do so by the licensing authority.



(14) An itinerant vendor granted a licence under these rules shall carry a metallic badge showing clearly the licence number and the nature of the article for the sale of which the licence has been granted.

(15) A licence under these rules shall be granted for the manufacture or sale of pure products only free from any admixture with foreign substances. The nature or articles of food for the sale of which a licence is required under these rules shall be mentioned in the application of licence. Any objectionable, ambiguous or misleading trade name shall not be approved by the licensing authority.

(16) Every licensee who sells any food, shall display a notice board containing the name of the articles which he is exposing or offering for sale.

**59 Duration of licenses.**—A licence shall, unless sooner suspended or cancelled will be for a period of

Provided that if application for a fresh licence is made before the expiry of the period of validity of the licence, the licence shall continue to be in force until orders are passed on the application.

**60 Cancellation and suspension of licences.**—(1) The licensing authority may, after giving the licensee an opportunity to show cause why his licence should not be cancelled or suspended by order in writing stating the reasons therefor cancel licence issued under these rules or suspend it for such period as it thinks fit, or wholly or in respect of some of the substances to which it relates, if, in its opinion, the licensee has failed to comply with any of the conditions of the licence or with any provision of the Act or rules thereunder.

Provided that if such failure or contravention is the consequence of an act or omission on the part of an agent or employee, the licence shall not be cancelled or suspended unless the licensing authority is satisfied —

- (a) that the act or omission was instigated or connived at by the owner of the business or, if the owner is a firm or company, by a partner of the firm or a director of the company, or
- (b) that the owner of the business or an agent or employee of the owner had been guilty of a similar act or omission within twelve months before the date on which the act or omission in question took place and that the owner had, or reasonably ought to have had, knowledge of that previous act or omission, or
- (c) if the act or omission was a continuing act or omission, that the owner of the business had, or reasonably ought to have had, knowledge of that previous act or omission; or
- (d) that the owner of the business had not used due diligence to ensure that the conditions of the licence or the provisions of the Act or these rules were observed.

(2) A licensee whose licence has been suspended or cancelled may appeal to a magistrate within three months of the date of order.

#### APPENDIX A

##### FORM I

[See rule 4(a)]

(Memorandum to the Director, Central Food Laboratory)

From

To

The Director,  
Central Food Laboratory,

No.

Dated the

19 .

#### Memorandum

I send herewith, under the provisions of Section 13(2) of the Prevention of Food Adulteration Act, 1954, sample (s) of a food purporting to be.....

for test or analysis and request that a report of the result of the test or analysis may be supplied to this Court.

1. Distinguishing No. on the packet.....
2. Particulars of offence alleged.....
3. Matter on which opinion required.....

A fee of Rs. ....has been deposited in Court.

.....  
Magistrate.

#### FORM II

[See rule 4(e)]

(Certificate of test or analysis by the Central Food Laboratory)

Certified that the sample(s), bearing number.....purporting to be a sample/samples of.....received on.....with memorandum No.....dated.....from.....has/have been tested/analysed and that the result/results of such test(s)/analysis is/are stated below:

2. The condition of the seals on the packet on receipt was as follows:

.....  
Director, or other authorised officer, Central Food Laboratory.....

Place:

Date:

If opinion is required on any other matter, suitable paragraph(s) may be added.

#### FORM III

[See rule 7(3)]

*Report by the Public Analyst*

*Issued under the Prevention of Food Adulteration Act 1954 and Rules framed thereunder*

Form No.....

Analysis No.....

I hereby certify that I,.....Public Analyst, duly appointed under the provisions of the Prevention of Food Adulteration Act 1954, received on the.....day of.....19....., from.....a sample of.....for analysis, (which then weighed.....) properly sealed and fastened, and that I found the seal intact and unbroken.

I further certify that I have analysed the aforementioned sample, and declare the result of my analysis to be as follows:—

Signed this.....day of.....19.....

(Signature)  
Public Analyst

Address.....

No. .... Dated the.....19.....

Forwarded (in triplicate), with reference to his letter/memo. No. .... dated.....

(Signature)  
Public Analyst

To

.....  
.....,  
.....

## FORM IV

(See rule 10)

Whereas....\*\*.....intended for food which is in your possession appears to me to be adulterated/misbranded.

Now therefore under sub-section (4) of section 10 of the Prevention of Food Adulteration Act 1954 (37 of 1954), I hereby direct you to keep in your safe custody the said article subject to such orders as may be issued subsequently in relation thereto.

Food Inspector.

\*\*Here give the name of article of food.

## FORM V

(See rule 11)

The stock of articles of food detailed below has this day been seized by me under the provisions of sub-section (4) of Section 10 of the Prevention of Food Adulteration Act 1954 (37 of 1954) from the premises of..... situated at .....

Details of article of food seized.

Date.....

Food Inspector.

## FORM VI

(See rule 12)

To

I have this day taken from the premises of.....situated at ..... samples of the food specified below to have the same analysed by the public analyst of ...../Director Central Food Laboratory.

Details of food.

Dated.....

Food Inspector.

## FORM VII

(See rule 17)

*Memorandum to Public Analyst*

From

To

The Public Analyst/Director, Central Food Laboratory,

No.

Dated the .....19.....

Memorandum.

The sample described below is sent herewith for analysis under clause (b) of sub-section (1) of Section 10 of the Prevention of Food Adulteration Act, 1954.

1. Serial No. of the sample:
2. Name of the vendor:
3. Date and place of collection:
4. Nature of article submitted for analysis:
5. Nature and quantity of preservative if any, added to the sample.

2. A copy of this memo and a specimen impression of the seal used to seal the packet of sample is being sent separately by registered post/by hand.\*

Food Inspector.

\*Strike out whichever is not applicable.

## APPENDIX B

## DEFINITIONS AND STANDARDS OF QUALITY

*A.01. Beverages-Non-Alcoholic.*

**A.01.01. Aerated water**, other than soda water, means potable water sweetened with sugar impregnated with carbon dioxide or oxygen or with both, under pressure, with or without admixture of salts of sodium potassium, lithium, magnesium or calcium, singly or in combination and of the prescribed flavouring and colouring substances, if any, and shall not contain any lead or other poisonous metal, or any other added substance except saccharin up to a limit of 6.8 grains per gallon.

Aerated water shall be deemed to be below the standard of purity if it is manufactured from water which is unfit for drinking purposes or if ice manufactured from such water is inserted in it.

**A.01.02. Soda water** shall be potable water impregnated with carbon dioxide or oxygen or with both, under pressure with or without admixture of salts of sodium potassium, lithium, magnesium or calcium, singly or in combination or of sodium bicarbonate, and shall not contain any lead or other poisonous metal or any other added substance.

**A.02. Baking Powder** means a combination capable, under conditions of baking, of yielding carbon dioxide, and consists of sodium bicarbonate, acid-reacting material, starch or other neutral material.

The acid-reacting material of baking powder shall be

- (a) tartaric acid or its salts, or both.
- (b) acid salts or phosphoric acids.
- (c) acid compounds of aluminium, or
- (d) any combination of the foregoing.

When tested, baking powder shall yield not less than 10 per cent. of its weight of carbon dioxide.

*A.03. Fruit Products.*

**A.03.01. Fruit Juice** means the unfermented liquid expressed from sound, ripe, fresh fruit, and with or without

- (a) sugar, or dextrose, or both or
- (b) sulphur dioxide in proportion not exceeding 350 parts per million, or sodium benzoate not exceeding 600 parts per million.

**A.03.02. Sweet fruit juices** or sweetened fruit juice, means fruit juice to which has been added sugar, or dextrose, or a combination of these.

**A.03.03. Tomato Juice** means canned, unconcentrated, pasteurized liquid of the tomato, with a proportion of the pulp, expressed with or without the application of heat by any method that does not add water to such liquid, from whole, ripe tomatoes from which all stems and objectionable portions have been removed, and, with or without,

- (a) salt, or
- (b) sugar, or dextrose, or both added in dry form.

**A.03.04. Fruit Syrup** means sweet fruit juice containing not less than 15 per cent. by weight of sugar, dextrose, or a combination of these. It shall not contain any added colour, flavour, synthetic sweetening agents or any other extraneous matter.

**A.03.05. Fruit Squash** means the expressed juice of the sound and ripe fruit with or without its pulp. It shall not contain any added substance, save sugar and either sulphur dioxide in the proportion not exceeding 350 parts per million, or benzoic acid in proportion not exceeding 600 parts per million as preservative. The word "Squash" or the word "crush" or any word or words of similar significance shall not be included in the label relating to any preparation, unless such preparation conforms with the standard for fruit squash.

**A.03.06. Fruit Beverage of Fruit Drink** means any beverage or drink which is purported to be prepared from fruit juice and water, or carbonated water, and with or without sugar, citric acid, preservative, and permitted colouring. It

shall contain not less than five per cent. of the juice of the fruit after which it is named. Sulphur dioxide in proportion not exceeding 350 parts per million or benzoic acid in proportion not exceeding 600 parts per million may be added to it.

A.03.07. *Tomato sauce*, tomato ketchup, tomato catchup, tomato relish, or any other expression conveying the meaning that the product so designated is a form of tomato sauce, is a preparation of sound and ripe tomatoes with or without the addition of sugar, salt, vinegar, onions, garlic, eschalots, spices, or condiments. It shall not contain any other vegetable substance and shall otherwise conform with the general standard for sauces. Benzoic acid in proportion not exceeding seven grains to the pound may be added to it.

A.03.08. *Jam* means the product obtained by processing fruit, or canned fruit with water and sugar by boiling to a suitable consistency and with or without the addition of—

- (a) acid ingredient
- (b) a permitted preservative
- (c) permitted fruit colour
- (d) pectin in the form of fruit juice or pectin preparation and shall contain not less than 66 per cent. of water soluble solids as estimated by the refractometer.

A Jam described as pure, genuine, or by any other term implying a product of first quality means a jam which contains,

- (a) not less than 45 per cent. of fruit except where the fruit is strawberry when it shall contain not less than 52 per cent.
- (b) no sweetening agent other than sugar or invert sugar syrup, or
- (c) no apple or rhubarb but it may contain in an amount that reasonably compensates for any deficiency in the natural acidity or pectin content of the fruit used in its preparation
- (d) acid ingredient consisting of
  - (i) citric, malic or tartaric acid,
  - (ii) lemon or lime juice,
  - (iii) cider vinegar, or
  - (iv) any combination of these, or
- (e) pectin.

A.03.09. *Jam with Added Pectin* means jam that contains (a) not less than 27 per cent. of the named fruit except where such fruit is strawberry when it shall contain not less than 32 per cent.

- (b) a sweetening agent consisting of
  - (i) sugar,
  - (ii) invert sugar syrup, or
  - (iii) a combination by weight of not less than 75 per cent. of sugar or invert sugar syrup and not more than 25 per cent. of dextrose or glucose, and
- (c) pectin, or pectinous preparation, and with or without.
- (d) acid ingredient in an amount that reasonably compensates for any deficiency in the natural acidity of the fruit used in its preparation consisting of
  - (i) citric, malic, or tartaric acid,
  - (ii) lemon or lime juice,
  - (iii) cider vinegar, or
  - (iv) any combination of these,
- (e) permitted food colour, or
- (f) permitted preservative.

A.03.10. *Marmalade* means the food of jelly-like consistency made from any combination of peel, pulp, and juice of the named citrus fruit by boiling with

water and sugar or invert sugar syrup, and with or without an acid ingredient in an amount that reasonably compensates for any deficiency in the natural acidity of the citrus fruit used in its preparation, consisting of

- (a) citric, malic, or tartaric acid,
- (b) lemon or lime juice,
- (c) cider vinegar, or
- (d) any combination of these,

and shall contain not less than 65 per cent. of water-soluble solids as estimated by the refractometer.

**A.03.11. Marmalade with Added Pectin** means marmalade which contains

- (a) not less than 27 per cent. of any combination of the peel, pulp, or juice of the named citrus fruit,
- (b) a sweetening agent consisting of,
  - (i) sugar,
  - (ii) invert sugar syrup, or
  - (iii) a combination by weight of not less than 75 per cent of sugar, invert sugar syrup and not more than 25 per cent of dextrose or glucose.
- (c) not less than 65 per cent. of water-soluble solids as estimated by the refractometer, and
- (d) pectin, or pectinous preparation, and with or without.
- (e) acid ingredient in an amount that reasonably compensates for any deficiency in the natural acidity of the citrus fruit used in its preparation, consisting of
  - (i) citric, malic, or tartaric acid,
  - (ii) lemon or lime juice,
  - (iii) cider vinegar, or
  - (iv) any combination of these, or
- (f) permitted preservative.

**A.04. Starchy Foods.**

**A.04.01. Arrow Root** means the separated and purified starch from the rhizomes of the plant known as *Maranta arundinacea*.

**A.04.02. Sago** means a starch product derived from sago palm (*Species metroxylon*) or from tapioca root (*Manihot utilissima*).

**A.05. Asafoetida** means the oleo-gum-resin obtained from the resin obtained from the rhizome and root of *Ferula foetida*, *Ferula rubricaulis* and other species of *Ferula*. It should not contain sand, gravel or other foreign mineral matter, colophony resin, galbanum resin, ammoniacum resin or any other foreign resin; the ash should not exceed 20 per cent. of its weight; and the alcoholic extract (with 90 per cent. alcohol) should not exceed 25 per cent.

**A.06. Species, condiments, etc.—**

**A.06.01. Black pepper or Pepper corn** means the sound fruit of *Pepper nigrum* having characteristic appearance. No sample should contain more than 5 per cent. of deteriorated fruit having no kernel, or any extraneous matter. The total ash value should not exceed 8 per cent. of the weight of the sample in raw state and not more than 1.5 per cent. of the ash should be insoluble in hydrochloric acid.

**A.06.02. Turmeric (Haldi)** means the dried rhizome or bulbous root of plants of *Curcuma* genus or longa species and includes turmeric in whatsoever form. It shall be free from damage by insect pests, from lead chromate and other artificial colouring matter, and shall not contain more than 2.5 parts per million of lead. It shall conform to the following standards:

- (a) Moisture shall not be more than 10 per cent.
- (b) The characteristic boric acid test shall be positive.
- (c) Total ash shall not be more than 6 per cent.
- (d) Total water extract shall not be less than 10 per cent.

A.06.03. *Zeera Sufed and Zeera Kala* means sound fruit of *Cuminum cyminum* linn and *Carum carbi* linn respectively. The fruit must be sound, must have the characteristic appearance under the microscope, and must not contain more than five per cent of deteriorated fruit or zeera dust or stalk.

A.06.04. *Cinnamon* means the dried inner bark of *Cinnamomum Zeylanicum*. Powdered cinnamon shall not contain any cassia nor any other foreign vegetable substance. It shall contain not more than eight per cent. of total ash and not more than two per cent. of ash insoluble in hydrochloric acid.

A.06.05. *Cloves* means the dried flower-buds of *Eugenia caryophyllata*. They shall not contain any exhausted or partly-exhausted cloves, nor any foreign vegetable or mineral substance, nor more than five per cent. by weight of clove stems.

A.06.06. *Coriander* is the dried fruit of the coriander plant, and shall not contain more than 7 per cent. of total ash, and 1.5 per cent. of ash insoluble in hydrochloric acid.

A.06.07. *Ginger* means the washed and dried or the decorticated and dried rhizome of *Zingiber officinale* and shall be free from damage by insect pests. The presence of sulphur dioxide to the extent of 2,000 to 4,000 parts per million in ginger is permissible for its preservation. It shall conform to the following analytical standards:

(a) Alcohol (90 per cent)	Soluble extract not less than 4.5 per cent.
(b) Ash	Not more than 6.0 per cent.
(c) Water-soluble extract	Not less than 10.0 per cent.
(d) Water-soluble ash	Not less than 1.7 per cent.
(e) Lead	Not exceeding 2.5 parts per million.

A.07. *Bean* means dry kidney shaped or flattened seeds of the leguminous varieties used as food, either whole or prepared as dhal. It shall not contain hydrocyanic acid exceeding 20 parts per million as determined by A.O.A.C. maceration method.

#### A.08. Sweetening Agents

A.08.01. *Cane Sugar* is the crystalized sugar obtained from sugar-cane, beet-root, etc. and includes the refined product obtained from gur.

It shall not contain more than 0.7 per cent. of ash and more than 1.5 per cent. of water and less than 96.5 per cent. of cane-sugar. It should be free from all poisonous matter.

A.08.02. *Bura* should contain 96.7 per cent. of total sugar expressed as sucrose and should not contain more than half per cent of its weight as insoluble ash. It should be free from all poisonous matter. In the case of *Khandsari* the minimum sugar content in term of sucrose should be 90 per cent.

A.08.03. *Gur or Jaggery* means the product obtained by boiling or processing juice extracted or pressed out of sugar cane, palmyra palm date trees or coconut palm. It shall be free from substances deleterious to health and shall conform to the following analytical standards on dry weight basis:

- (i) Total sugar not less than 90 per cent. and sucrose not less than 70 per cent.
- (ii) Extraneous matter insoluble in water not more than 2 per cent.
- (iii) Total ash not more than 6 per cent.
- (iv) Ash insoluble in Hydrochloric acid (HCL) not more than 0.2 per cent.

Gur or Jaggery other than that of the liquid or semi-liquid variety, shall not contain more than 10 per cent. moisture as determined by the steam oven method.

A.08.04. *Honey* means the food derived entirely from the work of bees operating upon the nectar of flowers and other sweet exudation of plants. It shall not contain more than (a) 25 per cent. of moisture, (b) 0.5 per cent. of ash, and (c) 10 per cent of sucrose. The minimum sugar content shall be 60.

A.08.05. *Ice-candy* means the frozen ice produce containing sugar, with or without the addition of the prescribed colouring or flavouring substance.

A.08.06. *Artificial Sweetener* means any chemical compound which is sweet to the taste, but does not include saccharin, any sugar or other carbohydrate or polyhydric alcohols.

A.09. *Coffee*.

A.09.01. (1) *Coffee (green, raw or unroasted)* means the seed of *Coffea arabica*, *Coffea liberica* or *Coffea robusta*; freed from all but a small portion of its spermoderm by decortication.

(2) *Roasted Coffee* means properly cleaned green coffee which has been roasted to a brown colour and has developed its characteristic aroma.

(3) *Ground Coffee* means the powdered product obtained from 'roasted coffee' only and shall be free from husk.

(4) *Coffee (green, raw or unroasted)*, 'roasted coffee' and 'ground coffee' shall be free from any artificial colouring, flavouring, facing, extraneous matter or glazing substances and shall be in sound, dry and fresh condition free from rancid or obnoxious flavour.

(5) *Coffee (green, raw or unroasted)*, 'roasted coffee' and 'ground coffee' shall conform to the following analytical standards:

(i) Total ash (determined on the sample dried to constant weight at 100°C shall be feathery white or bluish white in colour and shall be not less than 3.5 per cent. and not more than 5.0 per cent. by weight of which not less than 65 per cent. shall be soluble in boiling distilled water. The ash insoluble in hot dilute HCL shall be not more than 0.01 per cent.

(ii) The alkalinity of the ash per gramme of dried coffee shall be equivalent to not less than 3.4 ml. and not more than 4.4 ml. of N/10 acid.

(iii) The caffeine content, as obtained by standard methods, shall be not less than 1.2 per cent.

(iv) The aqueous extract (determined by extraction of 2 grams of the sample dried to constant weight at 100°C with 100 ml. of boiling distilled water for one hour under reflux) shall be not less than 25 per cent. and not more than 32 per cent.

A.09.02. *Chicory* means the dried and roasted root of *Chicorium intybus* Linn.

A.09.03. *Coffee mixture* or *Coffee mixed with chicory* or *Coffee and chicory* shall be pure ground coffee, mixed with roasted and ground chicory and shall be in sound, dry and dust free condition with no rancid or obnoxious flavour.

Any tin or other receptacle containing a mixture of coffee and chicory shall not bear any misleading expression such as 'French coffee'.

A.10. *Curry Powder*.—Curry powder shall contain not less than 85 per cent. by weight of condiments and spices belonging to the group of aromatic herbs and seeds such as black-pepper, cinnamon, cloves, coriander, cardamom, chillies, cumin seeds, fenugreek, garlic, ginger, mustard, poppy seeds, turmeric, mace, flutineg, curry leaves, white pepper, saffron and aniseed, and shall not contain more than 15 per cent. by weight of farinaceous matter and salt. If the manufacturer includes any spices, condiments, or any substance other than the aromatic herbs and seeds enumerated, the exact nature of such added ingredient or ingredients shall be specified on the wrapper or label prominently and such additions shall be made in lieu of, or partial replacement of farinaceous material and or salt quota. The aromatic seeds and herbs enumerated constitute the proper ingredients and one or more than one, or all of these may be used at the discretion of the manufacturer in the preparation of the curry powder.

A.11. *Edible Fat*.

A.11.01. *Beef fat* or *Suet* means fat obtained from a beef carcass. It shall have a Saponification value varying from 193 to 200 and Iodine value from 35 to 46.

A.11.02. *Mutton fat* means fat obtained from the carcass of sheep. It shall have a Saponification value varying from 192 to 195 and an Iodine value from 35 to 46.

A.11.03. *Goat fat* means the rendered fat from Goat. It shall have a Saponification value varying from 193 to 196 and an Iodine value from 36 to 45.

A.11.04. *Lard* means the rendered fat from hogs and shall not contain more than one per cent of substances other than fatty acids and fat. It shall have a Saponification value varying from 192 to 198 and an Iodine value from 52 to 65.



## A.12. Edible Vegetable Oils.

A.12.01. *Castor oil* means oil obtained from Castor seeds (*Ricinus communis*) by cold expression. It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter, separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	66.4 to 71.1
(b) Saponification value . . . . .	179 to 185
(c) Iodine value (Wij's method) . . . . .	82 to 90
(d) Unsaponifiable matter . . . . .	Not more than 0.8 per cent.
(e) Free Fatty acid as Oleic acid . . . . .	Not more than 3.0 per cent.

A.12.02. *Coconut oil* (*Narual-ka-tel*) means oil obtained by process of expressing copra obtained from kernel of *Cocos nucifera* nuts. It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter, separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	34.0 to 35.5
(b) Saponification value . . . . .	250 to 257
(c) Iodine value (Wij's method) . . . . .	7.5 to 10.0
(d) Unsaponifiable matter . . . . .	Not more than 0.8 per cent.
(e) Free Fatty acid as Oleic acid . . . . .	Not more than 3.0 per cent.

A.12.03. *Cotton seed oil* (*Binola-ka-tel*) means oil obtained by process of expressing clean, sound and decorticated Cotton seeds. It shall be clear and shall be free from rancidity adulterants, sediments, suspended or other foreign matter, separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyro refractometer reading at 40°C . . . . .	57.9 to 60.2
(b) Saponification value . . . . .	190 to 198
(c) Iodine value (Wij's method) . . . . .	105 to 112
(d) Unsaponifiable matter . . . . .	Not more than 1.5 per cent.
(e) Free Fatty acids as Oleic acid . . . . .	Not more than 1.0 per cent.

A.12.04. *Groundnut oil* (*Moongh-Phali-ka-tel*) means oil obtained by expression of clean and sound groundnuts (*Arachis hypogea*). It shall be clear and shall be free from rancidity, adulterants, sediments suspended or other foreign matter, separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	54.0 to 57.1
(b) Saponification value . . . . .	188 to 195
(c) Iodine value (Wij's method) . . . . .	87 to 98
(d) Unsaponifiable matter . . . . .	Not more than 1.0 per cent.
(e) Free Fatty acids as Oleic acid . . . . .	Not more than 3.0 per cent.
(f) Bellier test turbidity temperature . . . . .	39°C to 41°C.

A.12.05. *Linseed oil* (*Alsi-ka-tel*) means oil obtained by process of expressing clean and sound linseed. It shall be clear and shall be free from rancidity, adulterants, sediments suspended or other foreign matter, separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	69.5 to 72.0
(b) Saponification value . . . . .	188 to 195
(c) Iodine value (Wij's method) . . . . .	175 to 180
(d) Unsaponifiable matter . . . . .	Not more than 1.2 per cent.
(e) Free Fatty acids as Oleic acid . . . . .	Not more than 2.0 per cent.

A.12.06. *Mahua oil* means oil obtained by a process of expressing the clean and sound seeds or nuts of *Madhuca* (*Bassia latifolia* or *longifolia* or mixture of both). It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter, separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	49.5 to 52.7
(b) Saponification value . . . . .	187 to 196
(c) Iodine value (Wij's method) . . . . .	58 to 70
(d) Unsaponifiable matter . . . . .	Not more than 2.0 per cent.
(e) Free Fatty acids as Oleic acid . . . . .	Not more than 10.0 per cent.

A.12.07. *Mustard Oil* means oil obtained by process of expressing the clean and sound Mustard seeds, belonging to the *compestri's*, *Juncea* or *napus* varieties of *Brassica*. It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyro-refractometer reading at 40°C . . . . .	58.0 to 61.0
(b) Saponification value . . . . .	170 to 177
(c) Iodine value (Wij's method) . . . . .	96 to 108
(d) Unsaponifiable matter . . . . .	Not more than 1.2 per cent.
(e) Free fatty acids as Oleic acid . . . . .	Not more than 3.0 per cent.
(f) Relative viscosity at 40°C . . . . .	60 to 63.

A.12.08. *Olive Oil* means oil obtained by process of expressing the ripe fruit *Olea europea*. It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	53 to 66
(b) Saponification value . . . . .	185 to 196
(c) Iodine value (Wij's method) . . . . .	79 to 90
(d) Unsaponifiable matter . . . . .	Not more than 1.0 per cent.
(e) Free fatty acids as Oleic acid . . . . .	Not more than 3.0 per cent.

A.12.09. *Poppy seed oil* means oil obtained by expressing the poppy seed (*Papaver somniferum*). It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter, separated water and also colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	60 to 64
(b) Saponification value . . . . .	186 to 194
(c) Iodine value (Wij's method) . . . . .	133 to 143
(d) Unsaponifiable matter . . . . .	Not more than 1.0 per cent.
(e) Free fatty acids as Oleic acid . . . . .	Not more than 3.0 per cent.

A.12.10. *Safflower oil* (*Barrey-ka-tel*) means oil obtained by expressing the seeds of *Carthamus tinctorius*. It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter, separated water and also colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyro-refractometer reading at 40°C . . . . .	62.4 to 64.7
(b) Saponification value . . . . .	185.5 to 186.0
(c) Iodine value (Wij's method) . . . . .	135.2 to 135.6
(d) Unsaponifiable matter . . . . .	Not more than 1.0 per cent.
(e) Free fatty acids as Oleic acid . . . . .	Not more than 3.0 per cent.

A.12.11. *Taramira Oil* means oil obtained by process of expressing the clean and sound seeds of Taramira (*Eruca sativa*). It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter, separated water and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	58.0 to 60.0
(b) Saponification value . . . . .	174 to 177
(c) Iodine value (Wij's method) . . . . .	99 to 105
(d) Unsaponifiable matter . . . . .	Not more than 1.0 per cent.
(e) Free fatty acids as Oleic acid . . . . .	Not more than 3.0 per cent.

A.12.12. *Til Oil* (*Gingelly* or *Sesame Oil*) means oil obtained by process of expressing clean and sound seeds of Til (*Sesamum indicum*), black brown, white or mixed. It shall be clear and shall be free from rancidity, adulterants, sediments, suspended or other foreign matter, separated water, and also added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

(a) Butyrefractometer reading at 40°C . . . . .	58.0 to 60.5
(b) Saponification value . . . . .	188 to 193
(c) Iodine value (Wij's method) . . . . .	105 to 115
(d) Unsaponifiable matter . . . . .	Not more than 1.5 per cent.
(e) Free fatty acids as Oleic acid . . . . .	Not more than 3.0 per cent.

**A.13. Cereals.**

**A.13.01.** *Foodgrain* offered for human consumption shall be sweet, clean, dry, and free from mould, insect damage, bad smell, discolouration and admixture with deleterious and toxic material and in respect of these criteria, shall fulfil the following requirements:

- (a) *Colour*.—The grain as far as possible shall have its normal colour but mere discolouration shall not make it unfit if repellent smell or taste has not developed.
- (b) *Smell*.—Persistent bad smell not removable by sunning and airing shall be indicative of unhealthy deterioration of grain and its presence therefore shall make the grain unfit for human consumption.
- (c) *Taste*.—Development of bad taste, i.e., bitterness in old bajri, shall make the foodgrain unfit for human consumption. In case of doubt the grain shall invariably be subjected to consumers' trial after cooking.
- (d) *Foreign Matter*.—Which includes sand, gravel, dirt, stones, pebbles, straw, stems, chaff, cockles, oil seeds and other non-poisonous seeds; but excludes other foodgrains, shall not exceed 4 per cent. by weight.
- (e) *Foreign Foodgrains* shall not exceed a limit of 10 per cent in the case of any foodgrain except rice where the limit (including paddy) shall not exceed 3 per cent. In the case of Jowar the presence of grains of different shades of colour shall not be regarded as an admixture with foreign grains.
- (f) *Damaged Grains* including damaged, touched, mouldy and "Shrivelled" grains shall not exceed a total of 10 per cent. of which mouldy grain, after superficial cleaning, shall not be more than 1.5 per cent.
- (g) *Insect Damaged Grains* shall not exceed the limit of 6 per cent.
- (h) *Moisture Contents*.—When a thoroughly representative sample of the grain is ground to fine condition and dried in a moisture oven at a temperature of 100-105°C the loss in weight due to moisture shall not exceed 12 per cent for wheat and 15 per cent. for rice, maize, bajra, jowar, ragi and gram.
- (i) *Sound Grains*.—Notwithstanding the permissible limits stated under (a) to (h) above the percentage of normal and sound grains must in no case be lower than 80 per cent. of the total foodgrains, inclusive of the percentage under item (e) Foreign Foodgrains.

**A.13.02.** *Atta* means the coarse product obtained by milling or grinding wheat and sieving it. It shall not contain more than 2.5 per cent. of ash calculated on dry weight basis and not less than 8 per cent. of gluten.

**A.13.03.** *Maida* means the fine product made by milling or grinding wheat and bolting or dressing the resulting wheat meal. It shall contain not more than 1 per cent. of ash calculated on dry weight basis and not less than 8.0 per cent. of gluten.

**A.14. Milk and Milk Products.**

**A.14.01.** *Milk* means the normal clean and fresh secretion obtained by complete milking of the udder of a healthy cow, buffalo, goat, sheep or any other animal, during the period following at least 72 hours after calving or until colostrum free, whether such secretion has been processed or not.

*Cow Milk* shall contain not less than 3.5 per cent of milk fat, except in Orissa, Madras and Travancore-Cochin where it shall be 3 per cent. The milk solids content, other than milk fat, shall not be below 8.5 per cent.

*Buffalo Milk* shall contain not less than 5.0 per cent of milk fat. The milk solids content, other than milk fat, shall not be below 9 per cent.

*Goat or Sheep milk* shall contain not less than 3.0 per cent of milk fat. The milk solids content, other than milk fat, shall not be below 9 per cent.

Where milk other than skimmed milk, is sold or offered for sale without any indication as to whether it is derived from cow, buffalo, goat, or sheep, the standard prescribed for cow milk shall apply.

**A.14.02.** *Skimmed milk* means milk from which all or most of the milk fat has been removed by mechanical or any other process and includes "separated

milk" or "machine skimmed milk". The milk solids content, other than milk fat, shall not be below 8.5 per cent.

A.14.03. *Butter-milk* means the product obtained after removal of butter from curds by churning or otherwise.

*Explanation.*—In churning it is permissible to add water to curds for facilitating the resultant butter-milk shall not contain milk fat, below the prescribed standard.

A.14.04. *Butter* means the product prepared exclusively from the milk or cream of cow or buffalo, or both, with or without the addition of salt, and shall contain not less than 80 per cent of milk fat and not more than 16 per cent of moisture, except that in the States of Assam, Madras and West Bengal, the minimum moisture content may be increased to 20 per cent for home made or deshi butter. No colouring matter or preservative is permissible in butter.

A.14.05. *Dahi or Curd.*—(a) *Whole milk dahi or curd* means the product obtained from fresh whole milk either of cow or buffalo by natural souring. It shall not contain any ingredient not found in milk.

(b) *Skimmed milk dahi or curd* means the product obtained from skimmed milk either of cow or buffalo by natural souring. It shall not contain any ingredient not found in milk.

The standard of purity of dahi or curd shall be the same as prescribed for the milk from which it is derived.

A.14.06. *Condensed milk* means milk which has been concentrated from tull cream natural milk by removal of part of its water with or without the addition of sugar, and includes the article commonly known as 'evaporated milk' but does not include the article commonly known as 'dried milk' or 'milk powder'. It shall be free from preservatives other than sugar and contain at least 31 per cent of milk solids of which at least 9 per cent shall be fat.

A.14.07. *Condensed skimmed milk* means skimmed milk which has been concentrated by removal of part of its water with or without the addition of sugar. The total solids including milk fat shall not be below 26.0 per cent in sweetened variety and 20 per cent in the unsweetened variety.

A.14.08. *Chhanna* means the product obtained by precipitating the curd from boiling whole milk of cow and buffalo by the addition of lactic or citric acids.

Chhanna prepared from cow's milk shall contain a minimum of 15 per cent. of milk fat and that from buffalo milk a minimum of 20 per cent.

In chhanna prepared from skimmed milk the total solids-not-fat shall not be less than 20 per cent.

A.14.09. *Cream* means that portion of milk rich in milk fat which has risen to the surface of milk on standing and has been removed or which has been separated from milk by centrifugal force. It shall contain not less than 40 per cent of milk fat and shall not contain any added substance. The fat separated from cream shall conform to the specification prescribed for ghee.

A.14.10. *Dried milk or Milk powder or Dessicated milk* means whole milk or skimmed milk which has been concentrated to the form of powder or solid by the removal of water. It shall not contain any ingredient not found in milk.

A.14.11. *Ice-cream* means the frozen food made with cream, milk or other milk products, sweetened with sugar or honey and with or without (a) egg (b) fruits (c) nuts and (d) permissible flavour or colour. It shall contain not less than 36 per cent by weight of solids and 10 per cent by weight of milk fat except when the ice-cream contains fruits or nuts or both, the content of milk fat may be proportionately reduced but not to less than 8.0 per cent. by weight. It shall not contain any starch, artificial sweetening agent or any other extraneous matter. Ice-cream prepared from skimmed milk shall not contain less than 8.5 per cent. of milk solids other than milk fat.

A.14.12. *Mixed Ice-Cream* means the same as ice-cream in composition except that it may contain starch or any other innocuous filler. The fat content and total solid content should be the same as prescribed for ice-cream. Saccharine may be used as sweetening agent but not in quantities more than 6.6 grains per gallon of milk or the mother liquor as the case may be.

A.14.13. *Khoa* means the product derived from milk of cow or buffalo by partial dessication of water therefrom by the process of heating and it shall not contain any ingredient not found in milk. The moisture content of khoa shall

not exceed 10 per cent and in the case of khoa derived from whole milk the fat content shall not be less than 20 per cent.

A.14.14. *Ghee*.—Cow and buffalo ghee means the pure clarified fat derived solely from the milk of these animals or from the curds of such milk to which no colouring matter or preservative has been added. It shall conform to the following two specifications:

(1) *All-India specifications (for areas other than cotton tracts):*

- |   |                             |
|---|-----------------------------|
| (a) Butyrefractometer reading at 40°C . . . . . | 40.0 to 43.0                |
| (b) Reichert value . . . . .                    | Not less than 28.0          |
| (c) Free Fatty acids as Oleic acid . . . . .    | Not more than 2.5 per cent. |

(2) *Regional Specifications (for cotton tracts):*

	Winter Sept. to Feb.	Summer March to Aug.
(a) Butyrefractometer reading at 40°C . . . . .	51.5 to 44.0	40.0 to 43.0
(b) Reichert value . . . . .	Not less than 24.0	Not less than 21.0
(c) Free Fatty acids as Oleic acid . . . . .	Not more than 2.5 per cent.	Not more than 2.5 per cent.

*Explanation*.—By cotton tract is meant the areas in Saurashtra and Madhya Pradesh where cotton seed is extensively fed to the cattle.

A.14.15 *Waste Ghee* means the residue left in the process of manufacturing ghee from unclarified butter.

A.15. *Margarine* means any article of food which resembles butter in consistency, appearance and moisture content but which does not contain more than 10 per cent of milk fat, the rest being animal fat or vegetable oil product or both. It shall contain at least 80 per cent of fat and not more than 16 per cent of moisture.

A.16. *Saffron* means dried stigmata and tops of styles of *Crocus sativus*, and (a) it must not contain any foreign colouring matter or any other foreign matter, organic or inorganic, e.g. sugar, barium sulphate, chalk, gypsum and sodium sulphate, (b) it must not lose more than 12 per cent of its weight when dried at 100°C (212°F) to constant weight, and (c) it must not contain more than 5 per cent of petroleum ether extract.

A.17. *Tea* means tea derived exclusively from the leaves and buds of plants of the *Camellia* genus and *thea* species. It shall conform to the following specifications:

- |   |                              |
|---|------------------------------|
| (a) Total ash determined on tea dried to a constant weight at 100°C . . . . . | 4.0 to 8.0 per cent.         |
| (b) Total ash soluble in boiling distilled water . . . . .                    | Not less than 40.0 per cent. |
| (c) Total ash insoluble in dilute mineral acid . . . . .                      | Not more than 1.0 per cent.  |

A.18. *Hydrogenated Vegetable Oil Product* or *Vanaspati* means any article of food resembling ghee which consists of refined hydrogenated edible vegetable oils and not more than 10 per cent of milk fat. It shall be prepared by hydrogenation from any of the harmless vegetable oils or mixtures thereof except marine, mineral and animal oils. It shall conform to the standards specified below:

- i. It shall not contain any harmful colouring, flavouring or any other matter deleterious to health.
- ii. It shall not have moisture exceeding 0.23 per cent.
- iii. The melting point as estimated by the capillary slip method shall be from 33°C to 37°C, both inclusive with a tolerance of 20°C on either side.
- iv. The Butyrefractometer reading at 40°C shall not be less than 48°C.
- v. It shall not have unsaponifiable matter exceeding 1.5 per cent.
- vi. It shall not have free fatty acids (calculated as oleic acid) exceeding 0.25 per cent.
- vii. It shall not contain diacetyl, if any, exceeding six parts per million.

- viii. The product on melting shall be clear in appearance and its taste shall be free from staleness or rancidity.
- ix. It shall contain not less than 5 per cent by weight of refined or refined hydrogenated sesame (til) oil.
- x. No colouring shall be added to hydrogenated oil unless so authorised by Government, but in no event any colour resembling the colour of ghee shall be added.
- xi. No flavouring substances other than the following may be used for the flavouring of hydrogenated oil either singly or in combination in a total quantity exceeding 25 parts per million:
  1. Ethylbutyrate.
  2. Ethylcaproate.
  3. Isopropylbutyrate.
  4. Ethylcaprylate.
  5. Coumarin.
  6. Vanillin.
  7. Benzaldehyde.
  8. Amyl acetate.

#### A.19. Vinegar:

A.19.01. *Vinegar* means a liquid derived from alcoholic and acetous fermentation of a vegetable juice or infusion.

A.19.02. The principal varieties of vinegar are as follows:

- (a) *Malt vinegar* means vinegar derived wholly from malted barley or wholly from cereals, the starch of which has been saccharified by the diastase of malt;
- (b) *Cider vinegar*, means vinegar made by the alcoholic and acetic fermentation of the juice of apples;
- (c) *Distilled vinegar*, or *Malt vinegar*, means vinegar prepared by distilling malt vinegar;
- (d) *Wood vinegar*, means vinegar prepared by diluting acetic acid, and sometimes colouring the product with caramel;
- (e) *Artificial vinegar*, means any vinegar or substitute for vinegar containing, or derived from any preparation containing, and added acetic acid not wholly the product of alcoholic and acetous fermentation.

A.19.03. Vinegar shall conform to the following standards:

- (1) It shall contain at least 4 grammes of acetic acid per 100 millilitres.
- (2) It must contain at least 1.5 W/V per cent. of total solids and 0.18 per cent of ash.
- (3) It shall not contain sulphuric acid or any other mineral acids, lead or copper.
- (4) It shall not contain arsenic in amount exceeding 1.5 parts per million parts of vinegar.
- (5) It shall not contain any foreign substance or colouring matter except caramel.
- (6) Malt vinegar, in addition, shall have at least 0.05 per cent. of phosphorus pentoxide ( $P^2 O^5$ ) and 0.04 per cent. of nitrogen.

A.20. *Edible Common Salt* means a crystalline solid, white or pale pink or light grey in colour, free from visible contamination with clay, grit and other extraneous adulterants and impurities. It shall not contain moisture in excess of 6 per cent of the weight of the undried sample. It shall contain (a) at least 96.0 per cent. by weight of sodium chloride ( $NaCl$ ), (b) not more than 1.0 per cent by weight of matter insoluble in water, and (c) not more than 3.0 per cent by weight of matter soluble in water other than sodium chloride.

[No. PFA/DOC23/F9-1/55-D.]

N. B. CHATTERJI, Dy. Secy.

## MINISTRY OF LABOUR

*New Delhi, the 6th January 1955*

**S.R.O. 165.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal, (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri Ramdayal Dhobi, a workman of the North Chandameta Colliery.

## ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA

In the matter of an application under section 33A of the Industrial Disputes Act, 1947

APPLICATION NO. 30 OF 1954

## PRESENT

Shri J. N. Majumdar—*Chairman.*

Prof. H. R. Batheja—*Member.*

Shri S. P. Chopra—*Member.*

## PARTIES

Ramdayal Dhobi, Shotfirer, North Chandameta Colliery, C/o. M.P. Mines Technical Workers & Staff Union, Chandameta, P.O. Parasias, Distt., Chhindwara, M.P.—*Complainant.*

*Versus*

The Pench Valley Coal Co., Ltd., P.O. Box No. 70, Calcutta.—*Opposite Party.*

## APPEARANCES

Shri O. P. Mehta, President, M.P. Mines Technical Workers & Staff Union—*For Complainant.*

Shri S. S. Sharma, Auditor of the Company—*For Opposite Party.*

## AWARD

*(Dated the 20th day of December 1954)*

This is a complaint under section 33A of the Industrial Disputes Act, 1947.

2. The complainant was a workman employed in the Chandameta Colliery as a Shotfirer. His case is that in spite of his holding the certificate of a Sirdar No. 10952, he was employed as a Shotfirer in 1946 and although he worked for 10 years with a clean record, he was denied his chance as a Sirdar and he was superseded by his juniors as Overmen. He was chargesheeted and dismissed by the Company on 5th April 1954 without obtaining the written permission of the Tribunal, as required under section 33 of the Industrial Disputes Act, 1947. He stated that he had been victimised because he took part in the activities of the union, of which he was a member and which was controlled by Shri O. P. Mehta, who was engaging himself in an election rivalry with the local branch of the I.N.T.U.C. Union led by Shri S. S. Sharma, an Auditor of the Company and supported by the Company, and also because he was a party to the agitation on the matters in dispute before this Tribunal. He further states that the Penal Clause of the Industrial Employment (Standing Orders) Act and the Company's Standing Orders had been violated.

3. The Company denies that the complainant was victimised and states that the complainant was charge-sheeted on 29th March 1954 for negligence of work and 4 other specified items of misconduct, viz., (1) neglect of work, (2) breach of the Indian Mines Act (Regulation 106), (3) disorderly behaviour in the mine, (4) wilful insubordination, and was directed to show cause why his services should not be terminated for the misconduct complained of. The Company in due course enquired into the charges with notice to the complainant and on the result of a full conducted enquiry was satisfied that he was guilty of misconduct and dismissed him from service by a notice, dated 5th April 1954. The Company asks for condonation of the inadvertent breach of Section 33 of the Act.

4. Two points have been urged on behalf of the Company, one of which indirectly and the other directly, relates to the question of maintainability of this application. Under Section 33A an application is maintainable only when Section

33 has been contravened. Admittedly, in this case, there has been the contravention, but the Company asks for its condonation under the circumstances mentioned in its statement. The effect of this condonation, if the Tribunal has got the power to allow it, will be as if no contravention had taken place and, therefore the application under Section 33A would not be maintainable.

5. Section 33 prohibits the employer, *inter alia*, from discharging or punishing by way of dismissal or otherwise, any workman concerned in any pending dispute before the Tribunal, save with the express permission in writing of such Tribunal. The contravention of Section 33 is followed by two legal consequences:

(i) the contravention becomes:

(a) an offence,

(b) punishable under Section 31(2) of the Act.

(ii) an employee aggrieved, by such contravention, acquires a right to make a complaint under Section 33A, which, the appropriate Tribunal is required to adjudicate upon as if it were a dispute before it and make its Award under the provisions of the Act. In other words, special right is conferred on the employee aggrieved to have the question of his dismissal or discharge, during the pendency of any proceedings, adjudicated upon as a dispute by the Tribunal before which such proceedings are pending, without any reference by the Government under section 10 of the said Act.

6. The power of the Tribunal under Section 33 is only either to grant or refuse permission. It does not extend to granting permission after the contravention had taken place. The power of the Tribunal under Section 33A is to adjudicate upon the question raised as a dispute. Besides the above, no other power has been conferred on the Tribunal to make an order which affects any substantive right acquired on account of the contravention of the provisions of Section 33. We, therefore, hold that the Tribunal has no power to condone the contravention of Section 33 of the Act and that the complaint under Section 33A is maintainable.

7. The other point is that the complaint has not been made by the person aggrieved, but by Shri O. P. Mehta, President, M.P. Mines Technical Workers and Staff Union, Chandameta, P.O. Parasla, Dist. Chhindwara. It appears that the complaint was made by Ramdayal Dhobi, the complainant himself, but the application was signed by Shri O. P. Mehta. Under Section 36 of the Act, the complainant is entitled to be represented in any proceedings under this Act by an officer of a registered Trade Union, of which he is a member. In this case Shri O. P. Mehta is an officer of a registered Trade Union and the complainant is not a member of that Union. He is, therefore, entitled to be represented by Shri O. P. Mehta, who, having been duly authorised by the complainant to sign, appear and argue on his behalf, was also entitled to sign this application. Both the points urged on behalf of the Company failing, we proceed to consider the merits of the complaint.

8. On 29th March 1954 the Company framed several charges against the complainant and gave him an opportunity to meet them. Afterwards an enquiry was held by the Company and the Manager, found that 4 of the charges, as mentioned in the letter of dismissal, dated 5th April 1954, viz., (1) neglect of work, (2) breach of the Indian Mines Act (Regulation 106), (3) disorderly behaviour in the mines and (4) wilful insubordination, had been substantiated and that one of the charges, viz., inciting the co-workers to join him in leaving the respective working places, was not proved and consequently dropped, and the complainant was dismissed on 5th April 1954. It is not disputed that the complainant was dismissed for misconduct, after an enquiry with notice to the complainant.

9. In the case of Buckingham & Carnatic Mills reported in 1952 LAC, page 496, the Labour Appellate Tribunal held that in the case of dismissal for misconduct if there was evidence to support the action of the management, the Tribunal will not 'substitute its own judgment for the judgment of the management but the decision of the management could be reviewed if there was:

(i) want of *bona fides*,

(ii) it is a case of victimisation and unfair labour practice of the management or violation of principles of natural justice,

(iii) there is a basic error of facts, or,

(iv) there has been a perverse finding of facts.'

10. We have carefully examined the charges and the findings of the management as also the evidence laid before us and we are satisfied that none of the



elements mentioned above calling for a review of the management's decision has been proved.

11. It has been urged that the complainant is a shotfirer and, therefore, if there was a breach of the Indian Mines Act, 1933 he should have been punished by the Mines Inspector for alleged breach of Standing Orders instead of dismissing an old worker. In support of this contention it is urged that under Section 14 sub-section 6 of the Industrial Employment (Standing Orders) Central Rules, 1946, to which all standing orders must conform, the Manager, in awarding punishment under his standing orders, should take into account the gravity of misconduct, the previous records, if any, of the workman and any other extenuating or aggravating circumstances that may exist and that a copy of the order passed by the Manager should be supplied to the workman concerned. The complainant further contends that there is no previous record of his misconduct and that the gravity of his offence is mitigated by the Manager's finding in para. 5 of his order of dismissal, dated 5th April 1954, dropping the charge framed against him for inciting his co-workers to join him in leaving the respective working places. Finally, the complainant pressed for reinstatement with full compensation and costs of this application, in view of his contention that the order of dismissal is illegal and vindictive as it contravenes the provisions of Section 33 of the Industrial Disputes Act 1947 and also Section 14(6) of the Industrial Employment (Standing Orders) Central Rules, 1946.

12. The Company argued that the complainant neglected his work on the date in question for 4 hours and committed serious offence punishable under Regulation 106 of the Indian Mines Act, violated the standing orders and committed every offence of which he was proved to be guilty after a regular charge-sheet and trial and has, therefore, been justly dismissed. No extenuating circumstances exist to prevent his dismissal as his previous records were bad and in support of the last contention they have filed copies of previous complaints against him (Ex. No. O-2 & O-1, dated 20th October 1953 and 15th October 1953). Under the first charge-sheet he was warned and excused for the last time and under the second charge-sheet he was charged with misconduct under para. 10(1) of the Standing Orders for breach of the Indian Mines Act and theft in connection with the Company's property. It is further contended by the Company, in reply to a question from us, that production on the date in question was hampered due to the misconduct of the complainant and output suffered in the third shift. Their contention is supported by the statement filed before us showing raising figures in tubs of North Chandameta Colliery. It shows that in the third shift against a raising of 152 on 27th March 1954, the raising on 27th March 1954 was as low as 77, and the total for the day was the lowest in the week, viz., 330 against 423 on the preceding day and 398 on the succeeding Monday, viz., 29th March 1954.

13. After carefully considering the evidence on record, the papers filed and the oral arguments urged on both sides, we find that the complainant had a bad record of warnings against him and committed serious offences punishable under the Indian Mines Act and under the Standing Orders, was charge-sheeted and, judging from the report of the Manager (Ex. No. O-3), received a fair trial. While exonerated on one charge of 'inciting his co-workers to join him in leaving their respective working places', he was convicted of the more serious charge of neglect of work, breach of Regulation 106 of the Indian Mines Act, disorderly behaviour in the mine and wilful insubordination. The net result of his conduct was a decline in production for the day, which hampered the work of other wage-earners and caused loss to the Company. There are no extenuating circumstances and it is not necessary for an accident to take place, as suggested by the complainant, before the Indian Mines Act is enforced in the interests of the safety of the mine and its workers. The misconduct of the workman was grave enough to justify the company in taking the necessary steps against him. No proof has been adduced of victimisation or unfair treatment and no violation of Section 14(6) of the Industrial Employment (Standing Orders) Central Rules 1947 has taken place.

14. We are of opinion that the order made by the Company is justified and the complaint must stand dismissed. We are also satisfied that on the facts of the case the complainant is not entitled to any compensation by reason of the fact that this was contravention of the provisions of Section 33 of the Act.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) H. R. BATHEJA, *Member.*

(Sd.) S. P. CHOPRA, *Member.*

**S.R.O. 166.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal, (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri R. P. Yadav and three others, workmen of the Pench Valley Coal Co. Ltd., Calcutta.

### ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES) CALCUTTA

In the matter of an application under section 33A of the Industrial Disputes Act, 1947.

APPLICATION NO. 33 OF 1954

#### PRESENT

Shri J. N. Majumdar—Chairman.

Shri H. R. Batheja—Member.

Shri S. P. Chopra—Member.

#### PARTIES

(1) R. P. Yadav and A. Aziz Khan, Motor Drivers, Chandameta Workshop; and

(2) Narayandas and Sunny Edward, C/o M. P. Mines Technical Workers and Staff Union, Chandameta, P. O. Parasia, Distt. Chhindwara, M. P.—Complainants.

#### Vs.

The Pench Valley Coal Co., Ltd., P. O. Box No. 70, Calcutta—Opposite Party.

#### APPEARANCES

Shri O. P. Mehta, President, M. P. Mines Technical Workers & Staff Union—For Complainants.

Shri S. S. Sharma, Auditor of the Company—For Opposite Party.

#### AWARD

(Dated the 20th day of December 1954)

This is a complaint under section 33A of the Industrial Disputes Act, 1947.

2. The complainants alleged that the opposite party had contravened Section 25G of the Industrial Disputes (Amendment) Act, 1953 by retrenching the services of Shri R. P. Yadav and A. Aziz Khan, marked 1 above, and that the opposite party has contravened section 33 of the Industrial Disputes Act, 1947, by victimising Narayandas and Sunny Edward, marked 2 above, during the pendency of proceedings before the Tribunal by transferring them to the Rewa Coalfields of the same company, viz., Shaw Wallace & Co., situated 250 miles away from their home.

3. At the outset it was urged, on behalf of the opposite party, that the present proceedings under section 33 of the Act are not maintainable at the instance of Shri O. P. Mehta, President of the M.P. Mines Technical Workers & Staff Union at Chandameta, Parasia. Against this Shri O. P. Mehta, in a written statement filed before us, argued that the workmen concerned are members of the Union and are entitled to be represented by him as its President under section 36 sub-section 1 of the Act. We accept this contention of Shri Mehta as correct and allow him to appear on behalf of the complainants. The opposite party further urged that as Ramprosad Yadav is the junior-most driver in the establishment of the Company, section 25G of the Industrial Disputes (Amendment) Act, 1953, has not been violated, that he has refused to work under the officer appointed to supervise the work and, therefore, his services were terminated by offering him compensation provided under the Industrial Disputes (Amendment) Act, 1953. It urged the same plea in the case of Abdul Aziz Khan also as it contends that his services were terminated on medical grounds and giving him proper compensation as required by law. Regarding Narayandas and Sunny Edward (marked 2 above), the opposite party contends that there was no victimisation as they have been transferred from Chandameta workshop to Umaria and Burhar collieries in accordance with the Company's practice, which does not alter the conditions of service to the prejudice of the workmen.

4. Regarding Ramprosad Yadav, the opposite party contends that he is the junior-most driver in the establishment. He was employed on 15th June 1951 and was dismissed from employment on 1st December 1953 for gross misconduct after two or three official warnings. The Company, however, on compassionate considerations, re-employed him taking an undertaking from him to be of good behaviour and conduct in future. In spite of repeated warnings he was found acting in a manner subversive of discipline and was also roughly driving and handling the Company's vehicles causing frequent damages to them. His conduct, therefore, came in for frequent censure by the Head Mechanic under whom he and all other drivers were working, and on 1st April 1954 the Company received an application from Ramprosad Yadav that he was not prepared to work under this Mechanic and wanted a transfer to some other place. As the Company had no other employment for him in any other place, his request was turned down. The workman, however, refused to work under the Mechanic, as a result whereof he was found redundant. There being no alternative job for him, the Company terminated his services by a notice dated 6th April 1954 by offering him compensation provided under the Industrial Disputes (Amendment) Act, 1953. The opposite party contends that as the termination of his employ was of his own seeking in the circumstances described above, his complaint is unfounded.

5. On behalf of Ramprosad Yadav it was urged that it was not true that he was the junior-most driver and that others Suraj and Razak have put in even less years of service as drivers in the establishment of the opposite party. The seniority of Suraj and Razak, however, was denied by the opposite party, as it was pointed out that Suraj was a Dak Peon and Razak a conductor only on the rolls of the Company. They have not been promoted to the drivers' post and it cannot be said that because they know driving they were promoted to drivers' posts, because anyone may have a driving licence but may not have a driver's post. It was, therefore, maintained that Ramprosad Yadav is the Junior-most driver and, therefore, the termination of his services on the ground of redundancy does not violate any legal provision when every provision of law has been satisfied. It was further urged that Ramprosad Yadav was charge-sheeted several times and his services were dismissed but he was re-employed with a warning to improve and he never improved. In reply to our question whether Ramprosad Yadav was being harassed by the superior Mechanic either independently or under instructions from someone else, the opposite party denied such a suggestion. A breakdown report from the Supervising Mechanic on Ramprosad Yadav's work was received and the management satisfied itself that it was true. It was produced before us and we are satisfied that it was a correct report. Ramprosad Yadav seems to have complained that his Supervising Mechanic was bad, and, therefore, asked for a transfer but the Manager as the technical man seemed to have satisfied himself that this allegation was unfounded and his refusal to work under the mechanic was unjustified. We accept this contention and as the Company has satisfied all the provisions of law in terminating his services, we dismiss the complaint of Ramprosad Yadav.

6. Regarding A. Aziz Khan, it was contended by the opposite party that this complainant's services have been terminated on purely medical grounds. It was urged that on 3rd February 1954 he was transferred by the Company to Umaria colliery as motor driver from Chandameta workshop and was relieved of his duties from Chandameta workshop on 6th February 1954 to enable him to join the Umaria colliery. During this period, however, he seems to have suffered an accident to his foot, which disabled him from functioning as a motor driver and as he produced a medical certificate from the Civil Surgeon of Chhindwara to that effect, the Company, on compassionate grounds, gave him a lighter job in some distant place. Shri O. P. Mehta contended that the Company's doctor disagreed with the Civil Surgeon about his unfitness but we think that if there is any conflict between the two, the Civil Surgeon's views should prevail, but Shri Sharma denied such a conflict. Both their Chief Medical Officer and the Civil Surgeon agreed that he was not fit to drive a vehicle. In view, however, of the Chief Medical Officer's certificate that he was fit for other duty, the Company treated him generously, gave him a light job on the same wages until he could improve. He was again tried as a driver, but again failed on account of the same disability and again given a light job which he carried on for a few months. When he was considered fit again he was transferred to another place on 3rd February 1954. As he could not do this work and the Company could not give him a lighter job on the same wages he was again sent to the Civil Surgeon to assess his proportionate disablement with a view to determine his further compensation for his being permanently disabled. After that the opposite party, on being satisfied that he was unfit for

duty, gave him notice that his services were terminated and that he would be paid compensation on a permanent disability basis. On receiving this notice, the complainant has filed a suit against the company before the Workmen's Compensation Commissioner for more disability compensation than the Company was prepared to pay, which is still pending. Shri O. P. Mehta on behalf of the complainant urges that the transfer of Abdul Aziz to Umaria Colliery North 300 miles away from his home on 22nd February 1954 and his subsequent dismissal amounts to victimisation and is, therefore, a contravention of section 33 of the Act. He attributes this victimisation to the company's activity in an election fight against the company-supported Union, the INTUC, in the elections recently held for the Chhindwara Janpad. There may be some administrative discrimination on political grounds and trade union rivalries in the coalfields, but that cannot be easily proved, whether in the coalfields or in the general administrative services of the country. The onus of proof in this case lies on the complainant. The Company stands on very strong legal grounds in terminating this workman's services after repeated examination by a medical officer, including the Civil Surgeon. It tried to provide him lighter jobs during his intervals of disability as a driver and it has satisfied all the provisions of the law in terminating his services and giving him compensation for permanent disability. There is, however, a dispute about the amount of compensation admissible to the complainant which might have embittered the relations between the company and their ex-employee. The company is not legally bound to provide alternate employment to a worker who has been permanently disabled for a special job, when such alternate employment is not available. Whether it is available or not, on that fact the company, as employer, must remain the sole judge. We, therefore, accept the contention of the Company and dismiss the complaint.

Regarding Sunny Edward and Narayandas, the opposite party contends that the transfer of these employees from Chandameta Workshop to Umaria and Burhar collieries is in accordance with the company's practice and does not alter the conditions of service to the prejudice of the workmen. It further adds that by reason of the transfers effected in accordance with the *bonafide* requirements of the Company, their service conditions had not been adversely affected, nor have they been punished in any way. Their conditions of service have remained the same. In reply Shri O. P. Mehta has argued that their transfer to a distant colliery, to the Rewa Coalfields in Vindhya Pradesh which are governed by a different award, viz., the Rewa Award, has not only resulted in pecuniary loss but has affected the working of the M. P. Mines Technical Workers & Staff Union, which is a registered body under the Indian Trade Union Act 1926. He contends that "their transfer, therefore, amounted to denying them an opportunity of serving the workers who elected them as office bearers of their Union" and regards this as a big loss which the complainants and the Union have suffered. This pecuniary loss, however, Shri O. P. Mehta has failed to prove and the opposite party contends that the complainants were employed in the same Company according to their practice in the same jobs, on the same emoluments, in a healthier place where the cost and conditions of living are cheaper. It, therefore, maintained that there has been no loss incurred by the complainants whatsoever. As regards the loss suffered by the Union and their workmen by reason of the denial of their valuable services, we do not think that can be measured or taken into consideration. The spiritual loss suffered by them in being deprived of the opportunity of serving the workers who had elected them as Vice-President and Secretary of their Union, is somewhat unsubstantial and may safely be dismissed. The only point for our consideration is whether there is any other hardship in their transfer, whether it is justified by precedent and whether there is any element of victimisation under the Act and, therefore, there has been a contravention of section 33 of the Act. We do not deny the possibility of the right of transfer being used in a harassing manner and being misused by employers for political or other purposes. Such an opportunity for misuse, however, exists in all employments in the country, whether in Defence Services, the Administrative Services or any other occupation in life. The question is whether it is so substantial as to be capable of legal proof and being adjudicated upon on legal grounds. In this particular case, the opposite party not only denies victimisation or unfair labour practice as defined by law and previous cases but denies even permissible administrative discrimination. The Company asserts that their transfer was in the interests of efficiency of working of the Company's service. They urged that they had a number of vehicle drivers and it was intended that they should be put under one man. They had some expensive Land Rovers which were being used roughly by inexperienced hands. They, therefore, transferred more experienced drivers in the interests of these vehicles which they have recently ordered. It was justified on the ground of greater efficiency and productivity, as they had

no machanic there and one of these two transferred men was a mechanic and one of the drivers is sufficiently senior to handle the new Land Rovers. We accept the Company's contention that the two drivers were transferred in the interest of better service for the Company. As the complainants have not been able to prove victimisation, we reject the complaint and this is our Award.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) H. R. BATHEJA, *Member.*

(Sd.) S. P. CHOPRA, *Member.*

[No. LR-2(107)/55.]

### ORDER

*New Delhi, the 8th January 1955*

**S.R.O. 167.**—Whereas the Lakshmi Insurance Company, Limited, New Delhi, and the Lakshmi Insurance Employees' Union have jointly applied to the Central Government for reference of an industrial dispute to a Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said Union represents a majority of workmen;

Now, therefore, in exercise of the powers conferred by section 7 and sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Govind Ram Budhiraja, Additional District Judge, Delhi, shall be the sole Member and refers the said dispute for adjudication to the said Tribunal.

### THE SCHEDULE

#### *Specific matters in dispute*

Whether Shri Bhola Ram is entitled to reinstatement and, if not, to what relief, if any, he is entitled to.

[No. LR90(35)/54.]

P. S. EASWARAN, *Under Secy.*

*New Delhi, the 8th January 1955*

**S.R.O. 168.**—In pursuance of sub-paragraph (1) of paragraph 22 of the Employees' Provident Funds Scheme, 1952, and in supersession of the notification of the Government of India in the Ministry of Labour No. S.R.O. 45, dated the 23rd December, 1953, the Central Government hereby appoints Shri A. M. Savarinathan, Regional Provident Fund Commissioner, Madras, as the Secretary to the Regional Committee for the State of Madras, as set up under paragraph 4 of the said Scheme in the notification of the Government of India in the Ministry of Labour No. S.R.O. 3381, dated the 2nd November, 1954.

[No. PF516(10)Part II.]

A. NARAYANAN, *Under Secy.*

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*New Delhi, the 11th January 1955*

**S.R.O. 169.**—In pursuance of sub-rule (1) of rule 23 of the Minimum Wages (Central) Rules, 1950, the Central Government hereby permits the Bombay Port Trust to require or allow the persons employed by it in (i) the Kennery Island Lighthouse, (ii) the Prongs Lighthouse, and (iii) the wireless Beacon Station, Kennery Island, to work on the first day of the week (hereinafter referred to as the said day) without being allowed a holiday for the whole day on one of the five days immediately before or after the said day.

[No. LWI-8(1)/55.]

A. P. VEERA RAGHAVAN, Under Secy.